The Portsmouth Papers

55

Published by Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth PO1 2AL

No. 55 February 1989

Crime and Law and Order in Mid-Victorian Portsmouth

© F. H. Edwards
City of Portsmouth 1989

The PORTSMOUTH PAPERS *are published under the auspices of the Libraries, Museums and Arts Historical Publications Sub-Committee of the Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth, PO1 2AL*

Issue Number 55 February 1989

ISBN 0 901559 78 4

Portsmouth Papers Advisory Panel
COUNCILLOR JOHN S. MARSHALL, CBE *(Chairman)*
COUNCILLOR F. A. J. EMERY-WALLIS, FSA, Hon FRIBA, DL
COUNCILLOR F. A. WARNER, CEng, MIEE
P. HASKELL, BA, PhD
L. A. KITCHEN
R. C. RILEY, BSc(Econ), PhD
J. R. STURGES, DPA, JP
J. H. THOMAS, BA, PhD, FRHistS
J. WEBB, MA, FRHistS
E. COURSE, BSc(Econ), PhD, FCIT *(General Editor)*
G. F. TUCKER, ARCA, ASTD *(Design and Typography)*

Cover:
Detail of a painting depicting the Battle of Southsea, 1874, originally on the ceiling above the bar of the Barley Mow Public House, Southsea. This photograph was taken before its removal to Portsmouth City Museum.
(courtesy Mr James Cramer)

Printed by Grosvenor Press (Portsmouth) Ltd.

CRIME AND LAW AND ORDER IN MID-VICTORIAN PORTSMOUTH

F. H. Edwards BSc(Econ)

Depraved and criminal behaviour were endemic in Victorian society, particularly in London and the larger industrial towns. In this respect Portsmouth was no exception. A port flush with sailors, soldiers and others seeking a 'good time', and awash with services to this end, Portsmouth had long gained a reputation, in some notorious districts, for its rough, roisterous, hard-drinking, amoral, often violent and lawless behaviour, and criminal opportunism.

At the beginning of the nineteenth century there were four separate communities on Portsea Island: the old town of Portsmouth, Portsea Town, Landport, and Southsea and Kingston. Both Portsmouth and Portsea were completely enclosed by massive walls, bastions, ravelins and moats, until these were demolished in the 1860s and 1870s. Such constriction is likely to have exacerbated the intolerably squalid living conditions there. In many parts crowded dwellings, without proper sanitation or water supply, in narrow streets, alleys and courts, were the sanctuaries of criminals, the dens of prostitutes, and the abodes of many who were struggling against the misfortunes of poverty. In parts of the newer urban developments, conditions were no better.

Some areas were particularly notorious. Point, an extension of Portsmouth outside the walls, so well depicted by Thomas Rowlandson's paintings, was well known for drinking facilities, houses of ill-repute, particularly in East Street, Bathing Lane and Tower Street, and its almost nightly scenes of riotous behaviour and debauchery. A flavour of the locality may be gained from a pen picture of the *Blue Anchor* in the first half of the nineteenth century

> . . . . As to the tavern itself, the low and smothering rooms put the Alsasia of Sir Walter Scott into the shade; it was perfect pandemonium – the rendezvous of the lowest of the sailors . . . . when paid off, the scenes of debauchery and brutal violence gave to this part of Portsmouth its fearful name. In the *Blue Anchor* the seamen of the *Mars* first concocted the mutiny at Spithead. In the tap room the voice of the violin never was mute . . . . the complaints were eternal to the authorities of sailors who, in a few hours in the buildings in the rear (a species of store divided into sleeping rooms), had lost the whole of their pay, and from the constant influx of customers detection was impossible. In the first floor of the house was a regular cock-pit where persons addicted to this species of cruelty nightly congregated . . . .[1]

Portsmouth itself was a mixture of genteel residences, commercial premises (the High Street was one of the most famous shopping streets in the country outside London), markets, places of entertainment, and a focal point for local affairs for most of the nineteenth century. The town contained several barracks, many drinking establishments, and hidden from the High Street, brothels and squalid dwellings. Until 1847, the Free Mart Fair, held every year in the High Street for two weeks, added further disturbances to the peace of the town. Portsea, too, was an infamous locality for riotous behaviour and disturbances.

> Quiet as it may seem in the daytime, there are few streets at night in the whole world worse than Queen Street, Portsea. I am sure there are no courts in the world worse than those which crowd around it. I am sure there are no characters worse than those who infest it.[2]

The Hard nearby, which became known as *Devil's Acre*, 'a kind of quarter-deck thronged with sailors', was overrun with hordes of urchins, beggars, buskers, loose women and other disreputable characters, and supported many public houses and beer shops.

Many explanations for criminal behaviour and associated social problems were offered in a great outpouring of reports and commentaries, both private and public, during the nineteenth century.[3] What may be termed the theory of potential criminality, considered that men and women were naturally sinful, selfish and fallen creatures requiring to be surrounded by rules and laws to control their propensities. Some writers went so far as to suggest that there was a separate and hereditary criminal class.[4] The socio-economic transformation of society resulting from the growth of industrial capitalism and urbanisation had a powerful effect upon crime in the eighteenth and nineteenth centuries. Society became dominated by unrestricted competition, a selfish acquisitive ethos, and new class distinctions between a capitalist élite and a proletarian workforce which lost many customary rights and charities. There developed a culture of defeatism, despair and alienation which was reflected in growing tensions, protests and breaches of the law. Greater opportunities and temptations were presented to carry out thefts and fraud, and the changes of employer/employee relationships caused a new breed of workman who was less honest than his forefather. In the towns, the more prosperous inhabitants tended to move from less salubrious areas into better housing leaving poorer people in the less desirable urban quarters. The consequences of a rapidly rising population, which in England and Wales rose from nine million in 1801 to over 26 million in 1871, were associated with rapid urbanisation and a breakdown of cohesive communities as people, particularly the young, drifted from country to town. This resulted in poverty of the environment such as overcrowding, bad housing, insanitary conditions, and a dearth

of social outlets to amuse, help, guide and encourage those in need. In the large conurbations, therefore, crime was thought to be inevitable, particularly at a time when policing was weak, and it was exacerbated during periods of economic distress. One commentator of the period observed that

> Narrow streets, close courts, ill-ventilated and crowded houses generate disease, disease poverty, and poverty but too often produces crime. Evil communication corrupts good manners; and evil associations are inevitable in those resorts of the miserable, the vicious, the drunkard and the criminal. Foul air depresses, depression craves for stimulants, and stimulants beget drunkenness and its long train of curses. Crime is promoted by security from detection and the facilities for escape are multiplied in those Alsasias which are found in all our large towns. It is, indeed, difficult, if not impossible, to prove how large a part of our national crime is due to the bad housing of our poorer classes; it is assuredly very great.[5]

The historic and strategically important Portsmouth locality had a substantially mobile population which was sometimes swollen with visitors to the seaside attractions and the great occasions there, such as naval reviews, troop movements and visitations by dignitaries. As in many towns in the nineteenth century, this area experienced rapid urbanisation and an increase in its indigenous population (50,389 in 1831 to 127,989 in 1881, an increase of 154%). It was a Mecca for unemployed agricultural workers from the distressed rural areas of Wessex, camp followers of the army and navy and others seeking work and settlement. But it was a poverty trap for many. This locality was so dominated and distorted by the Services and largely self-supporting Dockyard that industrial development was stifled. The borough, therefore, in the absence of an independent industrial and commercial base, other than a few small service industries such as the dress industry, was deprived of investment, and remained impoverished with a disproportionately large number of jobless who were augmented by single women left in the borough by servicemen, deserted wives, service widows, unemployable ex-servicemen, deserters, prostitutes and vagrants. Such circumstances were reflected in squalid and low valued properties and high poor rates thus contributing to an environment favourable to crime and anti-social behaviour.

Although Victorian society had this dark side, many Victorians were deeply concerned about the social ills of their time. Pauperism, vagrancy, drunkenness, prostitution and crime were rife, but the civic authorities, no less so in Portsmouth, as well as central government, demonstrated vigour, missionary zeal and a reforming spirit unequalled in any other era.

During the eighteenth century and early nineteenth century these problems had been tackled with draconian measures. At the beginning of the nineteenth century the criminal law recognised 223 capital offences compared with only 50 in 1689. The Waltham Black Act of 1723 alone had put more than 50 such enactments on the Statute Book.[6] Writing about this period, Portsmouth's own Walter Besant[7] was moved to say that

> A man may be hanged for almost anything: if he appeared in disguises on a public road; if he cut down young trees; if he stole anything worth five shillings from a person or shop; if he came back from transportation before his time; a gypsy if he

Liberty men returning through James' Gate, Portsmouth, on the occasion of the Grand Naval Review at Spithead. A good time was had by one and all!
The Illustrated London News, April 26, 1856

remained in the same place. In fact the chief desire of the government was to get rid of the criminal classes by hanging them.

Many of the punitive laws enacted during that time had been designed to protect property. Accordingly, offenders against property were mercilessly pursued and sentences executed with the utmost rigour of the law, whilst non-property offenders, even those committing violent offences, frequently received only nominal sentences.[8] Not every offender falling into the category of crime carrying capital punishment, however, was executed: about 5% only of the total sentenced to death in England and Wales during the years 1828 to 1834 were executed.[9] Repeal of these harsh laws began in 1808 with the removal of the death penalty for pickpocketing, and by 1861 the death penalty was limited to four offences only (murder, high treason, arson in HM dockyards and vessels, and piracy with violence). In practice, after 1841, executions were for murder only, but were recorded with recommendations for mercy, 'sentence of death' being listed if it was the intention that death should be carried out.[10]

The extent of crime and the efforts to contain it, outlined in this paper, is a microcosm of what was happening elsewhere in mid-Victorian England. An appreciation of the types of crime and offences committed in Portsmouth at this time may be gained from the Appendix.[11] This shows indictable crimes known to the police, whether or not the offender was brought to trial, and offences determined summarily by the Magistrates. These statistics, however, represent only a small proportion of actual crime being committed, since much went undetected or, if detected, was not brought to court for one reason or another.

Administration of Law and Order

Portsmouth Corporation had exclusive criminal jurisdiction under its charters long before 1835.[12] One of the first actions, therefore, of the newly constituted Council after the Municipal Corporations Act, 1835, came into force, was to petition for a continuance of a separate Court of Quarter Sessions of the Peace of the Borough and to return 12 persons to the Secretary of State to be appointed Justices of the Peace.[13] The Council consisted of the Mayor, 14 Aldermen, and 42 Councillors serving six Wards and by 1859, there were 19 Borough Magistrates, including the Mayor and Ex-Mayor, and a Recorder.

Thoughout the period covered in this paper, the Council evinced a jealous protectionism of its local powers and resented any interference from central authorities. It opposed the County Police Act, 1840, petitioning that the Bill 'appears highly objectionable as it respects the borough',[14] and it also petitioned against what was to become the County Police Act of 1856, calling the prospective Act an 'unconstitutional interference with the privileges of boroughs';[15] the financial incentives for police efficiency were described as 'an attempt on the part of the government to carry unpopular interference with grants from the Exchequer'.[16] Many other petitions were made to Parliament, and as an example, the strong resistance to the Public Health Act may be cited. Such was the mood of resistance that an offer by Mr Robert Rawlinson, Superintendent Inspector to the General Board of Health, to attend a Council meeting in 1852 was answered by requesting the Town Clerk to inform Mr Rawlinson that if the Council required information they would communicate with the Board of Health.[17] In a petition concerning the Nuisances Removals Bill, the Council made it known that

> The Bill involves an active violation of the first principles of the rights of property and liberty of its use, it affects all classes and all occupations, the poor man as well as the wealthy manufacturer.[18]

And petitioning against the Public Health Amendment Bill, 1856, the Council said that

> . . . . (The Council) regards with alarm the continuous tendency of the legislation of the present day towards the odious and costly system of centralisation which the bill . . . . will perpetuate and which is repugnant to the system of our free institutions.[19]

Nevertheless, the Council appeared to be a strong upholder of law and order. As early as 1836, it questioned the political impartiality of Richard Missing, who had been appointed Deputy Recorder of the Court of Record.[20] It was supportive of the ability and impartiality of the Recorder when the Town Clerk was instructed to send a copy of the Council resolution complaining of the interference and 'subversion of civil power' of Lord John Russell, Home Secretary, in setting aside the sentences given to Lieutenant Blackwood, Sergeant McCormick and Corporal Green of the 84th Regiment for false imprisonment of certain policemen of the borough on 4 January 1839.[21] The Council also showed a remarkably enlightened attitude for the time to punishment, petitioning Parliament

> that the practice of punishing offences committed by soldiers and sailors by corporal punishment or flogging with the lash having proved to be ineffectual in preventing insubordination against the rules of military and naval discipline and its practice having been attended with death, the cause of many

28 1° 11

Description.

Name George Losser January 8th 1861

Age 22 years

Height 5 feet 8 inches

Hair Light brown

Eyes Hazel

Complexion Fair

Date of birth March 13th 1839

Where born Parley, Dorset

Trade or calling Dairyman

Previous public Service } Nil

Promotions &c.

Date	
(29/5 per week)	Superannuated 13th Sept 1893 on £ 96.13.4 per annum Paid to 12th Sept 1893 inclusive) Certificate given 16th Sept 1893 Conduct 'Very Good'
Nov 11 1862	Promoted to 2nd Class Constable
Feb 10 1863	Reduced to 3rd Do Do
Dec 8 1863	Promoted to 2nd Do Do
Mar 12 1867	Do to 1st Do Do
May 30 1879	Do to Sergeant
Oct 5 1886	Do to Inspector
	Died 3rd March 1916

suicides and calculated to engender a deadly hatred of both services, at variance with every feeling of humanity, revolting to all moral principle, degrading man below the brutes of the earth, and the cause of creating great sensation in the public mind, because it is incompatible with the spirit of the English laws, alike despotic, tyrannical and unchristian, and calculated to provoke the most deadly feelings of the men against their officers and thereby to weaken their moral influence over the subordinate classes in both services.[22]

Immediately before 1836, the town of Portsmouth had been policed by nine Constables, and there were 13 Constables in the Liberties outside (including Portsea) appointed by the Magistrates. There were also night watchmen at Portsea and Landport maintained by private subscriptions, frequent patrols of the military during the night and guards outside the Dockyard.[23] The Municipal Corporations Act, 1835, required the reconstruction of the police forces in all corporate boroughs, to be controlled by Watch Committees responsible to the Borough Councils. Accordingly, on the 15 January 1836,[24] under the Mayoralty of Edward Carter, the Council received the report of the committee appointed to enquire into the measures necessary to be taken to form an efficient police and watch. The Watch Committee (12 duly appointed) met on 27 February 1836,[25] six members being present, and determined their role as

> . . . preserving the peace of the borough by day and by night and preventing robberies and other felonies and apprehending offenders and disorderly and suspected persons, and to provide watch houses and other means for the purposes and use of such watch

It was also agreed that to maintain good order and to protect the inhabitants it was necessary to have three principal watch stations, one each for the town of Portsmouth (the Council Chamber of the old Town Hall, High Street), Portsea (St George's Square), and for the part of the parish outside the walls (two rooms in Mr Purchase's store in

One of the stalwarts of the mid-victorian police force of Portsmouth recorded in Portsmouth Police Appointment Book, 1845–1887. Photograph taken between 1872 and 1886
Portsmouth City Records Office

Union Street). In deciding on the proposal regarding the strength of the police force and its disposition the committee aimed at

> . . . providing an efficient constabulary force at the least expense . . . the truest economy is that which shall most effectually provide the prevention of offences, and the increase in offenders . . .

It soon became apparent, however, that the grant and police force were inadequate.[26] The appointment of Portsmouth's first Superintendent, together with three Inspectors, three Sub-Inspectors and 24 Constables, was approved by the Council on 11 December 1839,[27] and Captain Robert Elliott, late of the 82nd Regiment of Foot, was appointed Superintendent on 27 December.[28] This appointment was controversial and several attempts were made in the ensuing years to discredit Elliott and the police as may be seen in the following illustrations. On 6 April 1840[29] Alderman Leggatt tabled a motion

> That the Corporation not having funds of their own to provide for their expenditure, they are obliged to go to the parish for such and in consequence of the depressed state of trade and want of employment, parishioners are unable to bear additional burden. The Watch Committee are requested to abolish the office of Superintendent of Police and appropriate the salary of the three inspectors so that they may devote the whole of their time to their duties of office.

This motion was heavily defeated by 24 noes to two ayes (Messrs Horner and Leggatt) and four abstentions. At the same meeting Councillor Major Travers referred to a report in the *Independent* newspaper of 14 March, that a member of the Council had made disparaging remarks against Captain Elliott at a Vestry Meeting at Kingston Church on 12 March. The report of the Council meeting of 1 February 1841 in *The Hampshire Telegraph*[30] was fuller than minuted, when heated exchanges were said to have occurred between Mr Leggatt and Major Travers concerning four policemen, engaged to keep people out of a field during a pigeon shooting match and who had accepted money from certain persons to gain admittance. Mr Leggatt alleged that such actions were calculated to bring the police into great contempt who had no right to be employed in that way. Major Travers also made reference to a memorial which had been got up by certain councillors to have Captain Elliott removed, the group being known as the *White Swan Party*. He said that the council was tired of continual complaints by the *White Swan Group* against the police and the new system when crime was falling, and the Justices often sat with no cases to try. It was, however, agreed by the Council that the system of part payment to Inspectors and Sub-Inspectors for fees should be discontinued and that their salaries should be increased. The memorial referred to was entered in the minutes of the council on 22 March 1841 at the instigation of Messrs Sheppard and Crassweller.

At a special meeting of the Council[31] in July 1848, it was decided to disband the existing police force and to create a new force. This was to consist of one Superintendent, six Inspectors and 33 Constables.[32] All but 11 of the old force were appointed and Mr Leggatt, a councillor, became Superintendent, which position he held for 11 years until his death in 1859. Thomas Hamer Chase then took over for a year, to be succeeded by Richard Barber, ex Metropolitan Police and Superintendent Constable in the Buckinghamshire Police, who held the post until October 1875.

Throughout the period under consideration, the lot of the police was an unenviable one. Undermanned, and generally untrained, the police coped as best they could with a minimum of resources and comparatively poor pay, against the drunken and often violent behaviour of sailors, soldiers and civilians, both male and female, and the endemic criminal activities of every description (see Appendix). During 1858–1875, there were 1,453 assaults on police officers before the courts, an average of more than one committable assault per annum on every police officer in the force. The police were thus the butt of the criminal order and concern of their controlling authorities as well as of the public at large. Little wonder that there were some lapses in discipline, efficiency and behaviour.

An analysis of the offences committed by the Portsmouth police which merited disciplinary action in the period reveals that drink connected offences were the most common. As an example, the case of PC Moore may be cited. Admonished by the Watch Committee in January 1850[33] for being drunk and fighting in Queen Street, his defence was that as he was passing through, he saw a fight, was then attacked, and acted in self-defence, and that his state of excitement might have been mistaken for intoxication. There were some instances of police being found asleep on duty: for example, PC Munday was found asleep in an omnibus outside the Portland Hotel,[34] and PC Robert Darnby was found asleep on Gillman's step whilst on duty.[35] There were cases of 'fighting together while on duty',[36] and accepting money.[37] Occasionally there were indiscretions. In April 1850, for example, PCs Moore, Froud, Munday, Cotton, Maynard, Horn, White and Buxley and Superintendents Aylward and Cox were reported and cautioned for partaking dinner provided by the keeper of a beerhouse on 29 March in return for civilities in calling

up lodgers in the house.[38] In another example, PC Harvey was cautioned for being in the habit of keeping loose company and frequenting beershops, dog fights, rat matches etc., although the evidence was said to be hearsay. On a later occasion his defence to being drunk was that he was tempted by a friend who was going to Australia.[39] In a further example, Inspector Dowsett was dismissed the force for being seen in the company of a prostitute near the *Green Dragon* and accompanying her to that house where he remained some time.[40]

Portsmouth Council faced a continual struggle to balance the needs of maintaining law and order within the financial constraints of a poor borough and therefore both police and gaol were always starved of funds. Not that some members of the Council did not have sympathy for the police, as may be appreciated from the impassioned motion of Councillor Ralph in 1854 pleading for an increase in the pay of the police.[41] One of the hallmarks instituted by the County and Borough Police Act, 1856, for determining the 'efficiency' of the police forces on visitation of the Police Inspectorate set up by the Act, was the number of police per 1,000 of population. This was set at 1:1000 for Portsmouth. A clear certificate by the Inspectorate enabled the borough to claim from the Treasury one quarter of the cost of pay and clothing of the police force, but on a number of occasions receipt of this certificate hung in the balance at Portsmouth. In 1858,[42] Aldermen Levy and Nance put a motion which was not supported

> That as the state of the police is a subject affecting the credit and interest of the borough and as the complaints of its inefficiency in point of numbers have been frequent it is incumbent on the Town Council to decide on such an important matter without referring to a committee.

At the next meeting,[43] Alderman Sheppard and Mr Garrington had to move that

> It is most desirable that the police force should be immediately rendered efficient to enable the committee to avail itself of the government grant

Yet Messrs Binstead and Pook moved an amendment that

> Before applying additional policemen it is the duty of the council to institute an enquiry into the causes of the offences complained of . . . with a view to avert from the ratepayers the inconvenient risk of having to build a new gaol to accommodate the increased number of offenders.

This amendment was defeated 23 ayes to 10 noes and six abstentions, the original motion being carried 23:11:5, and the complement was increased to 71, the point of efficiency required by the government. Even so, this was not before an amendment was put at the meeting of 21 September,[44] which was ruled out of order, that

> 23 additional policemen is not necessary more especially since the Government Inspectors in their report state that eight would be sufficient

In 1862,[45] the Council agreed that representations should be made to the Secretary of State that the borough be dealt with as an exceptional case because of the large number of Metropolitan Police in the borough which justified the relaxation of the government standard of 1:1000. A certificate for the previous year was given on that occasion by the Secretary of State enabling the financial grant to be claimed but it was made clear that an increase in the police had to be attended to at once in order that no question might arise regarding the efficiency of the police in point of number during the coming year. The Council, on recommendation of the Watch Committee, therefore agreed to increase the force from 71 to 95, in addition, increasing the pay of Sergeants and Constables; this increase in 1863 provided the desired ratio (of 1:988) based on the 1861 census. In fact, the 1:1000 ratio on the basis of inter-censal calculations, was never reached in the entire

period from 1858 to 1875. It is of interest to note in Table 1 that Portsmouth's ratio was considerably lower than in many boroughs, taking 1861 as an example.

Table 1

Ratios of Police to Population in Selected Boroughs in 1861

Portsmouth	1:1,335
Liverpool	1: 422
Bristol	1: 510
Manchester	1: 510
Hull	1: 690
Birmingham	1: 785
Norwich	1: 826
Leeds	1: 908

Source: V. A. C. Gatrell & T. B. Hadden, 'Criminal Statistics and their Interpretation', in E. A. Wrigley (Ed.), *Nineteenth Century Society: Essays in the Use of Quantitative Methods for the Study of Social Data*, (1972), for the Liverpool to Leeds statistics.

The need for a stronger police presence was on several occasions made known by the Magistrates[46] and the public. Some instances of public concern may be noted. At a Watch Committee meeting in 1837,[47] Mr Emanuel Snr. complained of various annoyances he was subjected to by persons frequenting the *Wheat Sheaf* public house and that the night watchman was drinking at this house when on duty. In 1838,[48] directions were given for Inspector Astridge to pay more attention to the Town Quay in consequence of the frequent complaints of the depredations on the Common Hard by boys there. A complaint was made and discussed by the Watch Committee in 1842[49] concerning disturbances on the Common Hard and the want of additional police. In July[50] of the same year, another letter complained about constant disturbances in the Crescent from fights and disorderly conduct. As a result of complaints, a special Watch Committee meeting was held in 1848,[51] to consider a requisition signed by the inhabitants of Southsea concerning the unprotected state of their property. Major Robb, who had been instrumental in getting up the requisition, attended the meeting, and instanced several unsolved burglaries, entries and felonies during the winter. As a result, it was resolved that three of the most intelligent men in the force should be put in the Southsea district, one of whom would act as a Sub-Inspector on constant night duty and on increased pay. The Council also met on 20 March[52] to consider this requisition, and a motion was passed regretting that the Mayor, who had presided at the meeting in Southsea, had given official sanction to the requisition since

> . . . . the Watch Committee have given a fair share of police protection to Southsea District and all they can fairly expect from an already largely burthened body of the ratepayers . . . the remedy is better lighting by gas.

The Town Clerk was accordingly directed that this motion be printed and circulated in the borough. In another example, a memorial was received in 1858 from the inhabitants of the Hard complaining about the disorderly state of that part of the borough and praying for additional protection. This was passed to the Watch Committee, which reported to the Council that the complaint that 'drunkenness and disorderly conduct was permitted without molestation' was answered by reference to the number of cases dealt with during the past year, pointing out that the arrangements which had been adopted on occasions of ships being paid off had had beneficial results.[53]

Crime against Property and the Person

Non-violent property offences, which include larceny, embezzlement, receiving stolen goods, obtaining goods under false pretences, forgery and currency offences, accounted for 89% of all indictable offences known to the police in Portsmouth in the period 1858–1875 (see Appendix). Of this total, 82% were for larceny offences and, in addition, 22% of all offences dealt with summarily were for larceny, making 34% of 'total crime' (i.e. indictable offences known to the police and summary committals) and 63% of all 'serious crimes' (i.e. 'total crime' excluding breaches of the peace, drunk and disorderly behaviour, vagrancy and statutory offences). A sample of 12 years, taken from the Quarter Session Calendars from 1842 to 1875, suggests that an average of 77% of the committals for indictable offences were of this category. Seventy five per cent of the non-violent indictable property offences known to the police were for simple larceny, 11% were for pickpocketing, 6% from 'rivers, canals, wharfs' etc., and 5% for stealing items up to a value of £5 from dwelling houses. Of the non-violent property offences tried summarily in the period 1858–1875, 66% were for items of a value less than 5*s* (dealt with summarily as a result of the Criminal Justices Act, 1855), 19% were committed by offenders under 16 years of age (dealt with under the Juvenile Offenders Acts 1841 and 1850), 8% for stealing from allotments, and 5% for attempting to pick pockets. Analysis of the indictable committals for larceny shows that

about 30% of the offences in Portsmouth were for stealing clothing, that larceny of food and drink accounted for about 6%, and that the incidence of industrial theft (including the dockyard) was comparatively low at about 4%.

A survey of the surviving Quarter Session Calendars, Police Reports and newspaper reports indicates that the great majority of larcenies were opportunist and of a trivial nature; there is little evidence of either professional or project crime. A large proportion of the offenders taken into custody by the police were acquitted by the magistrates for lack of evidence or failure of the prosecution or accused to appear.[54]

Larceny of clothing was a comparatively easy offence: articles could be carried away and either retained for personal or family use or converted to money by pawning; identification, however, was difficult. The offence was committed in shops and market stalls (where the goods e.g. boots, trousers or coats, were generally on open display), public houses (from where hats, coats and umbrellas were removed), from the rooms of the house in which the accused was lodging, from inside houses, outhouses or washing lines, and occasionally by employees from their masters.

Theft of food and drink was mostly from shops and market stalls, the accused stealing while pretending to buy, or grabbing the article and then running away. In some cases, such thefts were from necessity. For example, on 16 February 1850,[55] 'three poor looking objects', named William Hart, John Perkins and Edward Nethercliff, stole a loaf of bread from Elisha Bastable, baker, and

Two brothers, named Pickett, aged 11 and 13 years, who were sentenced in 1899 to 14 days hard labour in Portsmouth prison for throwing stones at a door
Portsmouth City Library

were caught distributing it outside the shop; they were discharged. On the other hand, theft of food was just another opportunity in the case of John Wolstencroft who stole 8lbs of pork and a hook from Thomas Beech for which he received seven years transportation, this not being his first offence.[56] The Bench appeared to be severe on juveniles, as in the case of Samuel Egdon, aged 13, and Richard Lovett, aged 15, who each received 12 months imprisonment and a whipping for stealing 6oz of tobacco and a bottle of ginger beer.[57]

The agricultural areas of Portsmouth were 'fair game' for the depredations of vagrants, juveniles and the needy, potatoes being particularly favoured. Four juveniles, aged 12 to 15, were each given one month hard labour for stealing potatoes.[58] Stealing apples was not looked upon lightly by the magistrates! In May 1850, six boys ('each had a short pipe and lucifer matches') were seen picking apples from the garden of William Horner; three were caught and given 14 days hard labour.[59]

Larceny from the person was much more common than the statistics indicate, for the skilled pickpocket could remove an article from the person with considerable dexterity and be away from the scene before the offence was discovered. There were three categories of pickpocket. There was the prostitute who stole money, watches, rings and other articles from the client's clothing while he was undressed, drunk or asleep. The records and reports are full of such offences and, in a large majority of cases, there was an acquittal because of lack of evidence or the prosecution failing to appear, possibly because of embarrassment. The second category was the professional pickpocket, frequently women and young children and vagrants, often operating in pairs, who worked the streets, lurked in public places, entered pubs and markets, and attended events where crowds congregated. As an example, William Kent and Emma Smith, late of London (supposed to be man and wife) frequented the High Street at night, the one on each side of the street; they were taken into custody for stealing a half crown, one shilling and sixpence from the person of Martha Anne Couzens in the High Street in the early morning.[60] Pickpockets were very much in evidence in Portsmouth at the Free Mart Fair and when the big events were held. Anything which light fingers could manipulate would be taken, particular favourites being silk handkerchiefs, watches and wallets. Severe sentences were given to prostitutes and to professional pickpockets, transportation being common when previous convictions were proved. William Sheppard, for example, was given ten years transportation for two charges of stealing a silk handkerchief.[61] The third category of pickpocket was the non-professional who seized his opportunity to steal from the person. Such offenders were usually given comparatively light sentences: for example, William Riley, aged 20, shoemaker, and George Smith, aged 17, woolcomber, both received 21 days hard labour.[62]

Because Portsmouth was not industrialised, the number of industrial larcenies by employees and others was comparatively few compared with industrialised regions, such as the Black Country.[63] Many offences were trivial, e.g., Ann Clark, aged 17, stole a towel from her master for which she received 3 months hard labour.[64] There were several instances of items such as quantities of fabric being taken, e.g., Louise Smith, aged 30 (five yards of shirting: six months hard labour),[65] and of raw materials and tools of the trade, e.g., William Blaby, aged 26, shoemaker, (leather and lasts: seven years transportation),[66] and James Wallis, aged 28, baker, (brass weights: six months with hard labour).[67]

The Dockyard was a rich and tempting source for pilfering. Until the early years of the nineteenth century, the high incidence of theft gave the Admiralty considerable cause for concern and, in consequence, rigorous procedures and gate checks were imposed in the Dockyard to curb the depredations.[68] Evidence suggests that dockyard theft was kept within more acceptable limits in later years, for prosecutions were fewer and sentences less severe.[69] Typical charges were 'unlawful possession of the Queen's Stores' or theft of valuable metals, particularly copper. For example, George Hunt, aged 33 years, shipwright, was found guilty of stealing 37lbs of copper in 1864 and was sentenced to six months in prison.[70]

Some instances are noted of lead and other fixtures being removed from buildings and a serious view was usually taken of these. For example:

> William Henry Thompson, age 18, stole two parts of brass pole brackets, a lock and key etc., fixed to a dwelling house of Edward Fox: four years Penal Servitude . . .
> he had previously stolen 45lbs of lead pipe, bell line, seven bell cranks, 4oz of bell wire, three brass lock faces, one brass lock rim, fixed to a dwelling house of Thomas Ellis Owen and received seven days hard labour.[71]
>
> William Simmons, aged 22, (with Thomas Wallis, aged 23), feloniously ripped, broke, stole and carried away 111lbs of lead belonging to a certain building;[72] he was transported for life and Wallis for 15 years.

There remain a few classes of non-violent property offences to be considered briefly; these include receiving stolen property, embezzlement, obtaining goods by false

Oakum picking in gaol. Be sure your sins will find you out!
Portsmouth City Records Office

pretences, forgery and currency offences. Only three cases each year on average were indicted for receiving during the years 1858 to 1875, but this does not indicate that receiving was not on a substantial scale, although there is no evidence of professional 'fences' operating. Considering the extent of larceny discussed above, there must have been many outlets for disposing of stolen property. Such outlets would be second-hand dealers, pawnbrokers, publicans and individuals who felt able to dispose of or use the items concerned. There were at least 39 second-hand clothes dealers (mostly in Portsea), 42 marine stores dealers and 29 pawnbrokers in 1859,[73] some of whom, no doubt, would have handled such transactions. To succeed in prosecuting a suspected receiver it had to be proved that the goods were stolen, that the accused knew they were stolen at the time, and that he had received them; thus a large number of receivers escaped prosecution. Sometimes a charge of receiving was made when the accused was suspected of larceny but it was difficult to prove. Embezzlement involved the appropriation of money or goods by a servant which belonged to his master; it was not a common offence in Portsmouth, about four per annum occurring on average. Sometimes charges were brought for trifling amounts as in the following case

> George Collins and James Beave, both railway porters, charged with embezzling 6d. from the London, Brighton and SC Railway Company. Both were found not guilty.[74]

Obtaining goods by false pretences was a misdemeanour, its effects being similar to larceny, but the goods were obtained by deceit, not secretly. About 3% of all indictable offences were of this type, and scrutiny of the sources shows that the goods concerned were mostly of small value and that sentences were similar to those given for larceny. Finally, forgery and currency offences; there were surprisingly few of these, 105 only in the period 1858 to 1875, considering the opportunities to carry out such offences in the large number of public houses and beerhouses.

Violent offences against property and the person which were brought to court were fewer than might be expected considering the character of some localities and the proclivities of many of the inhabitants and visitors there. Property offences with violence (robbery, burglary and housebreaking) were 5.8% of indictable offences known to the police (1.1% of 'total crime' and 2.1% of all 'serious crime') of which burglary and housebreaking accounted for 75.7% of the total (an average of 17 crimes per annum). There was obviously concern in the town in 1848 when a spate of burglaries prompted the Council to apply to the Commissioners of the Metropolitan Police for two or three efficient officers of the detective force to

> . . . discover and apprehend the gang of burglars who have long infested the town. . .[78]

At the same meeting the Council also decided to 'memorialise' the Secretary of State

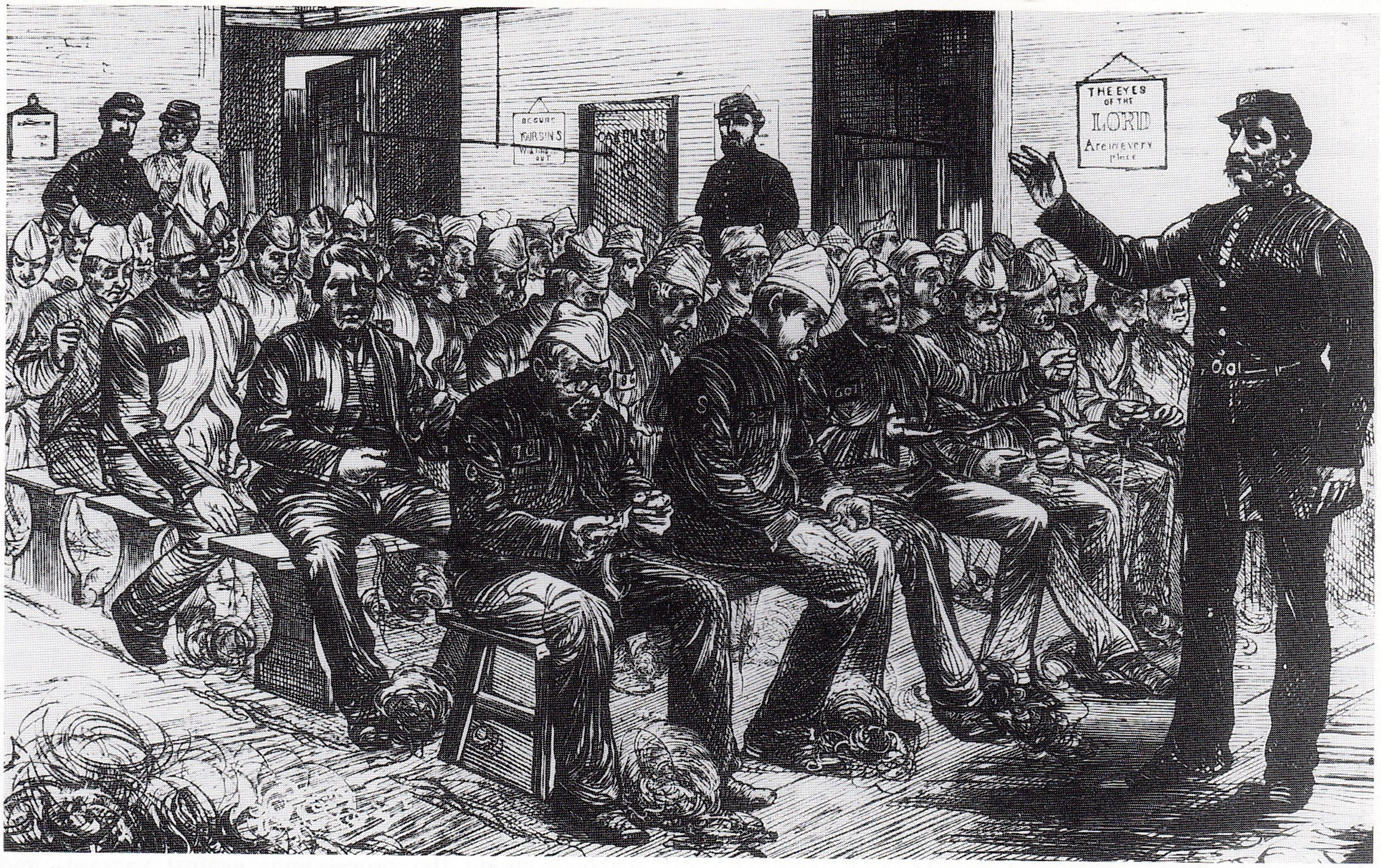
> that HM be graciously pleased to offer a reward for the apprehension of the perpetrators of the recent burglary at Brougham Street, Southsea, attended with violence, to the person of Mrs Linington . . . and a Royal pardon for the accomplices who shall give information leading to conviction.

This was in addition to £50 reward to be offered from town funds and £20 offered by Mrs Linington herself.[76] These offences mostly carried heavy sentences depending upon the degree of aggravation involved. For example, George Storr, aged 33, labourer, burgled the counting house of Edwin Searly Long and took £21 17*s*. 5*d*.; he also committed other counting house burglaries (from Joseph Lush – £1 5*s*. 0*d*, a key and 50 cigars – and from Joseph Galt – a key) and was sentenced to ten years penal servitude.[77] John Hanover, aged 21, dairyman, stole a cash box containing £21 8*s*. 4*d* from the house of John Priddy and received seven years penal servitude, previous convictions being taken into account.[78] On the other hand, George Reed, aged 20, labourer, received four months hard labour for breaking and entering and stealing a shawl, a pair of boots and other articles, this being his first offence.[79]

Robbery on the highway was the most serious of the violent property offences and was always tried at Assizes. This offence could range from violent waylaying of vehicles on the highway to robbing individuals violently or putting them in fear (the equivalent of present day muggings). During the period under consideration most offences were of the latter kind since the days of the nefarious highway robbers were by then almost over. Only 40 such offences known to the police were reported between 1858 and 1875, and it is of some significance to compare this rate of just over two per annum with present day muggings.

Violence against the person accounted for 4% of indictable offences known to the police, 16.8% of offences tried summarily, 14.3% of 'total crime' and 26.7% of 'serious crime' (see Appendix). Examination of the nature and circumstances of these offences shows that by far the greatest number were drink related resulting in common assaults, assaults on police constables and aggravated assaults on women and children.

Typical examples are:



Hannah Lewis, aged 48, and Caroline Lewis, aged 17, violently assaulted James Stamp by striking him on the head with a red hot poker. Their sentences were respectively, 15*s* plus costs or 14 days hard labour and 10*s* plus costs or ten days hard labour.[80]

George Edgar, 'a tall powerful fellow', was charged by PC Moore for assault in the *Blue Anchor*, St George's Square. Edgar first beat a woman, held the landlord by the throat, and then assaulted the constable. Edgar's plea was drunkenness and his punishment was a fine of 20*s* plus costs or 14 days imprisonment with hard labour.[81]

Thomas Beal, a sergeant in the Royal Artillery, beat Nehemiah Lewis, a child of six years. He was fined 6*s* plus 9*s* costs.[82]

It would seem that Portsmouth was no more remarkable in this twilight world of criminal activity than most other congested urban areas at the time. Larcenies predominated the crime statistics, accounting for nearly 65% of all 'serious crimes'. Items taken were mostly of trifling value: clothing and food from largely unprotected locations; watches, money and silk handkerchiefs, the fruits of pickpocketing in the streets, public places and where crowds assembled, or from the (often drunken) clients of prostitutes; and petty thieving from places of work. Violent property offences accounted for just over 2% of all 'serious crimes', of which about 75% were for burglaries and housebreaking. On the other hand, offences against the person accounted for 27% of all 'serious crimes' in the borough, and most of these were associated with drink but comparatively few murders, manslaughters and sexual offences are recorded.

Social Offences

A large number of the cases dealt with by the Magistrates were 'social offences', that is, offences such as drunken and disorderly behaviour, vagrancy, and minor breaches of the peace, and also those offences created by statutory edicts or local by-laws and regulations, which were not inherently 'criminal' like property offences and acts of violence, but were regarded by society in general as morally reprehensible and socially undesirable. It is not proposed to discuss the statutory offences,[83] although they constituted 21% of all offences dealt with summarily in the period 1858–1875; these are listed in the Appendix. Nor is it the intention to deal with the many breaches of the peace, fights and other disturbances which were mainly drink-related or family quarrels. There were one or two major disturbances in the period[84] such as the Queen Street riots in 1850 and in 1856, and the 'Battle of Southsea' in 1874, a *cause célèbre* at the time, but none was motivated politically or through distress. It will be of interest, however, to examine the three classes of social offence which were so prevalent in the nineteenth century and generated much concern and comment, namely, vagrancy, prostitution and drunkenness.

Vagrancy In common with many places, the Portsmouth authorities were deeply concerned about the increasing number of vagrants who were infesting the town during this period. The minutes of the Portsmouth Watch Committee indicate this concern. On 4 January 1838[85] the Committee directed

Example of a document committing an offender to imprisonment in 1859
Portsmouth City Records Office

> that every constable and watchman shall to the utmost of his power direct his vigilance in respect of persons in the streets at late hours of the night who are of suspicious character or who have no visible means of gaining a livelihood; and that it is the duty of every constable to apprehend (offenders)

In April[86] of the same year concern was expressed about the great influx of vagrants into the borough, and the police were directed to exercise greater vigilance to prevent the borough being inundated. In July 1853,[87] the Committee asked for the attendance of policemen at the time of arrival of steamboats at Victoria Pier to prevent touts and vagrant boys importuning passengers and preventing ingress and egress.

Vagrancy was not a new problem (the Vagrancy Act of 1851 and the Tudor alarmist rhyme 'Hark, hark the dogs do bark, the beggars are coming to town . . .' testifies to this), but after the Napoleonic Wars particularly, and again in the late 1840s and 1860s, the number of vagrants rose sharply everywhere. Vagrants travelled well defined routes, spending the summer months in those areas where the 'pickings' or 'beggings' were good, visiting fairs and other events where crowds congregated and sleeping out of doors or in derelict sites; in winter they moved to the towns, accosting passers-by or engaging in petty crime,[88] seeking shelter in tramps' lodging houses, refuges, casual wards of the workhouses and 'boozing kens' or 'kip houses'. Thirteen tramps' lodging houses known to the Portsmouth Police were listed in the Police Contents of the Judicial Statistics as Houses of Bad Character in 1858.

Vagrants were feared and loathed by most people because of their appearance and habits, and they were regarded as a social danger and responsible, rightly or wrongly, for many criminal activities. It was the opinion of Henry Mayhew[89] that

> vagrancy is the nursery of crime, and the habitual tramps are first beggars, then the thieves, and, finally, the convicts of the country. The evidence of all parties goes to prove . . . the vagrants form one of the most restless, discontented, vicious, and dangerous elements of society . . . These constitute . . . the main source from which the criminals are continually recruited and augmented.

The Vagrancy Act, 1824 – 'An Act for the Punishment of Idle and Disorderly Persons and Rogues and Vagabonds' – determined the attitudes and actions of the authorities towards vagrancy for most of the nineteenth century and incorporated many classes of wanderers, innocent or otherwise: those whose work required travelling – hawkers, seasonal workers, sailors looking for ships; those unemployed or displaced from jobs and moving to seek work; many 'deserving poor' who were forced by destitution to beg or steal – the unfortunates, the destitute young and deserted women and 'service wives' often with families; and there were the habitual vagrants whose preference it was to have an idle, roving life. Portsmouth had its share of all these categories – 'shallow coves' (destitute sailors), service widows, destitute youngsters, and the opportunists who came to Portsmouth to take advantage of the frequent gatherings of visitors to the town and of its market garden hinterland. The Act identified several classes of vagrant; idle and disorderly persons; rogues and vagabonds; incorrigible rogues; and it was also used to clear the streets of prostitutes and small traders.

Table 2 shows the proceedings against vagrants and tramps in the peak year of 1862:

Table 2

Proceedings against Vagrants and Tramps in 1862 in Portsmouth

Indictments	34
(14.3% of total indictments)	
Summary convictions	
Under Vagrancy Act	229*
(10.0% of total summary convictions)	
Other Offences	25
(1.3% of total summary convictions)	
Total proceedings	288
(11.6% of total proceedings)	
*Summary offences under Vagrancy Act were for	
Begging	189
Having no visible means of support	13
Found on enclosed premises for unlawful purposes	10
Frequenting places of public resort etc. to commit felony	13
Incorrigible rogues	1
Other Offences	3

Source: Adapted from the Judicial Statistics, *Parliamentary Papers*.

In the same year, the police reported 84 vagrants and tramps at large in Portsmouth (there were 214 at large in 1863 – a peak year under this category). These statistics indicate that vagrants and tramps were responsible for a not insubstantial amount of crime in the borough, although this class of person was a highly visible target for

CONVICTION UPON A PLEA OF GUILTY.

Borough of Portsmouth, TO WIT. } **Be it Remembered,** That on the seventh —— day of April —— in the year of our Lord one thousand eight hundred and fifty nine, at the Sessions' Room, Portsmouth, in the said Borough, Elizabeth Yates. ——

being charged before us the undersigned, two of Her Majesty's Justices of the Peace for the said Borough, for that she the said Elizabeth Yates

on the sixth —— day of April —— in the year aforesaid, at the Parish of Portsea in the Borough aforesaid, did feloniously steal, take, and carry away a piece of Paper, a Purse, and Money, to wit, four pounds twelve shillings, the property of Nathan Elkton,

~~contrary to the form of the statute in such case made and provided, and~~ against the peace of our Lady the Queen, her crown and dignity, and pleading Guilty to such Charge, she was thereupon convicted before us of the said Offence; and we adjudge the said Elizabeth Yates —— for her said Offence to be —— imprisoned in the House of Correction, of the said Borough, and there kept to hard labor for the Space of two calendar months.

Given under our Hands and Seals, the Day and Year first above mentioned at the Sessions' Room in the Borough aforesaid.

Wm. Ford

J Ozeans

the police which undoubtedly would have affected the crime statistics.[90]

In 1844[91] in Portsea district, there were 41 offenders apprehended for vagrancy offences, 18 of whom were under the age of 18 years. These young offenders were treated with comparative harshness. For example, two boys, aged 7 and 11 years, were sentenced to seven days hard labour for being found sleeping in the open air on 10 April and being unable to give a good account of themselves. On the other hand, Joseph Anderson, aged 25 years, accused of sleeping out on 19 May, was discharged after promising to leave town. In that year of the 41

offenders in Portsea, 11 received sentences ranging from 21 days hard labour to three days hard labour (given to a boy of 13 years for begging), the remaining 30 offenders being discharged on promising to leave town.

Prostitution There is ample evidence that prostitution, apart from being considered 'the Social Evil', was closely linked with criminal activities such as larceny, receiving, crimes against the person and extortion. The Judicial Statistics show that about 8% of all indictable offences and 8% of all summary offences committed in the Portsmouth Police District in most of the years 1858 to 1875 were attributed to prostitutes. The Police Report Book for the Portsea District alone for 1844[92] records 23 offences of larceny of small items such as watches, rings and money by females. Most of the persons taken into custody were subsequently discharged for failure of the prosecution to appear, or for lack of evidence. It can be inferred from the time of arrest of the suspects that they were prostitutes who stole from their clients. Ellen Quick, for example, aged 30, (who was subsequently given 14 days hard labour on 30 August 1845 for being a disorderly prostitute) was arrested on 9 November at 4am for allegedly stealing a gold ring; Anne Baker, aged 22, stole money at 3am on 1 April (she was also arrested on 27 November for stealing a gold watch and other articles and sent on Indictment to Sessions); and Eliza Coley, aged 27, stole cash on 5 April at 1am.

As a garrison and naval town, Portsmouth had long been notorious for its prostitutes.[93] It has been suggested[94] that during the Napoleonic Wars there were some 20,000 prostitutes in Portsmouth, Gosport and the vicinity. Official statistics available for the period of this study indicate that in 1862 (a peak year) there were 66 offences under the Vagrancy Act, 114 other summary proceedings, 12 indictable offences, with a total of 1,927 prostitutes at large known to the police and 296 brothels and houses of ill-fame.

Very little was done to deal with this problem in the first half of the nineteenth century, except that in 1831[95] a female penitentiary, maintained by private subscriptions, was established in St Vincent Street for 'reclaiming penitent women who have departed from the paths of virtue'. By 1841, some 80 'deluded daughters of Adam' had been received into the penitentiary,[96] mostly from the poorhouse, and by 1859, there were generally about 30 inmates, many of whom, at that time, came from the lockwards of the Royal Hospital.[97]

Both Council and police appeared to be complacent about prostitution. It was seven years after the establishment of the Watch Committee before the first reference to this problem was minuted to the effect that a letter had been received from the Baptist Congregation in White's Row and the Elder and President of the Jews' Synagogue there complaining of interruption and annoyance from persons of dissolute habits assembling and using abusive language.[98] It was not until 1853[99] that the Committee resolved that one of the police might be directed to be in attendance in White's Row Chapel on Sabbath and Tuesday evenings. The evidence available from the only surviving police report book of Portsea, for 1844–1846,[100] shows that some arrests of prostitutes were made at the time: those arrested were described as 'drunk and disorderly', and in some cases indecent language is said to have been used by 'disorderly prostitutes'. In 1845,[101] for example, ten women, who were taken into custody as 'disorderly prostitutes', were summarily convicted and given sentences ranging from 7 to 14 days hard labour, but Dianna Walker, aged 32, apprehended in October, received one month hard labour as this was her second offence since September, when she served one month hard labour also. The first sign of real concern of the Watch Committee is seen in 1852[102] when, in the minutes, the Committee directed the attention of the police to use their best endeavours to suppress the nuisance of the great number of prostitutes who infested the public streets. In 1854,[103] there was a report of the disgraceful scene which occurred every Sunday on the passage of the military along the ramparts to and from Divine Service by the assemblage of prostitutes and other disorderly characters particularly at Beeston's Bastion (near what is now the junction of Gunwharf Road and St George's Road). Also in 1854,[104] the committee business included several matters: directing attention to the nightly assemblage of prostitutes on Southsea Common; a complaint by Mr G. Richards concerning a brothel at number 2 Battery Road; and to certain public houses and beer shops, particularly the *Duke of Wellington*, Oyster Street and the house *Eight Bells*, St Mary Street, kept by Mrs Frost.

In the 1850s, a number of public disturbances in Portsmouth, the root cause of which was prostitution, alerted the town to the seriousness of the problem. In 1850,[105] there was a full scale riot involving over 2,000 people, the police and military guard, which lasted four days, sparked by a brothel brawl between a sailor and a soldier; a brothel fight in White's Row involving soldiers in May 1853[106] which resulted in a regiment being transferred from Portsmouth to Gosport; and a brothel was wrecked in White's Row by 100 sailors in 1856.[106] In 1861[108] there was a public demonstration of prostitutes in the streets.

A milestone in the control of prostitution came when the Contagious Diseases Act (CDA) was introduced in 1864 in certain garrison towns including Portsmouth. The Act empowered the Metropolitan Police (who carried out

duties in the Portsmouth Dockyard) to question suspects and lay information to the Justices of the Peace for prostitutes to be medically examined. If, on examination, the prostitute was found to be infected, she was committed by the magistrate to the lockward of the local hospital or workhouse for treatment. Information was obtained by the police by questioning infected patients who were being treated in military and naval hospitals. The women were then questioned by the police and asked to submit voluntarily to medical examination. If they refused they were liable to imprisonment. The peak of first-time registrations under this Act was in 1869[109] when 426 women were registered. Not all patients of the lockward under this Act were willing to co-operate in their treatment; numerous cases went before the magistrates in Portsmouth of patients leaving hospital without permission and for riotous behaviour there. In January 1869[110] Sarah Richardson and Mary Clark were each sentenced to one month hard labour, having left hospital and re-engaged in prostitution in Warblington Street and Southampton Row respectively; Emily Barrett and Evelyn Task each received three months hard labour for the same offence. The medical staff and police evidently had difficulties from time to time with some of the patients. As an example a not untypical case may be cited. In 1869[111] a disturbance occurred in the lockward which involved four patients. The offences and circumstances are summarised as follows:

> *Sarah Field*: Refused to obey orders of the House Surgeon, behaved disrespectfully and used improper language. She said: If you come nigh me, I'll punch your bloody head you bugger'. She also joined with other women and broke eight panes of glass in the hospital. She was sentenced to one month hard labour.
> *Amelia Turner*: Refused orders and used improper language. Said to Inspector Westbrook: 'I'll knock your bloody head off' and spat at him. With other women broke eight panes of glass. Sentenced to one month hard labour.
> *Matilda Biggs*: Put herself into a fighting attitude and knocked Inspector Westbrook's hat off and struck him on the head. Sentenced to three months hard labour.

This was not the only time that poor Inspector Westbrook found himself under attack: the following January[112] he was kicked by Emma Ingram and received injuries to the legs, and the House Surgeon was also kicked and assaulted by the same lady. She received 21 days hard labour for breaking windows, indecent behaviour, swearing and assault.

Although the CDA was generally welcomed as going some way to controlling the problems of prostitution, there were some, as today, who felt indignant that the restraining hand of authority should be imposed on individuals. Anti-CDA protesters like Josephine Butler,[113] who brought feminist arguments to bear, and the assortment of ladies and clerics who attended an anti-CDA campaign meeting in 1870[114] in Landport, presumably won the day eventually as the Act was suspended in 1883 and repealed in 1886.

Drunkenness Drinking establishments, drunken carousals, brawls and generally disorderly behaviour in the streets were a way of life in Portsmouth. The town was well endowed with public houses and beershops as can be seen in Table 3.

Table 3

Drinking Establishments and their ratio to Population

Year	Pubs	Beershops	Ratio to Population
1851	236	360	1:121
1861	246	505	1:126
1871	323	554	1:130

Source: Excise Returns, *Parliamentary Papers*, 1851, 1861, 1871.

An estimate of the distribution of these drinking establishments shows a heavy concentration in certain notorious districts, a high proportion of which were categorised as resorts of thieves and prostitutes by the police for the Judicial Statistics, particularly in the years 1859–1864. Table 4 contains an extract from the Judicial Statistics.

Table 4

Number of houses of bad character: resort of Thieves and Prostitutes

Year	Pubs	Beershops	Total
1859	247	465	712
1860	112	294	406
1861	110	270	380
1862	107	282	389
1863	109	297	406
1864	106	293	399

Source: Table 2 of the Police Contents, Judicial Statistics *Parliamentary Reports*.

Extract from Borough of Portsmouth Police Report Book, Portsea District, 1849
Portsmouth City Records Office

A satisfactory explanation of the inflated figures in 1859 has not been found, but it may be noted that 1859 saw the appointment of two new Superintendents of Police in Portsmouth.

Table 5

Number of persons taken into custody for being drunk and disorderly in Portsea Police District from 1843 to 1851

Year	Male		Female		Total	
	No	%	No	%	No	%
1843	42	46.7	48	53.3	90	100
1844	104	62.3	63	37.7	167	100
1845	125	65.8	65	34.2	190	100
1846	81	55.0	69	45.0	150	100
1847	51	69.9	22	30.1	73	100
1848	81	62.8	48	37.2	129	100
1849	56	57.1	42	42.9	98	100
1850	39	41.5	55	58.5	94	100
1851	39	32.6	50	67.4	89	100

Source: List included in the Portsea Police District Report Book 4 May 1843–1849, *PCRO*, 123A/1/1.

Entries in the Portsea Police District Report Book[115] reveal that 45%–55% of all offenders apprehended during the period 1844–1848 were for being drunk and disorderly, of which a high proportion was female. Table 5 indicates that the percentage of females taken into custody varied from the lowest point of 30.1% in 1847 to 67.4% in 1851. Most drunk and disorderly offenders were detained from 4 to 14 hours and then discharged. Comparatively few were summarily convicted unless some assault or damage to property was involved. In 1844[116] for example, four men were given fines ranging between 2*s*. 6*d*. and 5*s*. with costs, or the alternative of imprisonment of five to ten days with hard labour. On the other hand, women such as Elizabeth Thompson, aged 21, apprehended in Butcher Street, who received seven days hard labour, seemed to fare worse than men. Altogether nine women, mostly prostitutes, were given sentences ranging from 7 to 21 days hard labour, and two were fined with costs. In the same year, there were, in addition 22 people taken into custody charged with assault (6.4% of the total), mostly on police constables, usually the result of drink, many of whom were soldiers (although occupations were not usually recorded in the police book). Most of the offenders in this category were summarily convicted, being fined with costs or the alternative of 5 to 14 days in prison with hard labour. A high proportion of drunk and disorderly offences involved two or more people, sometimes one or more women being in the company of one or more men.

Some areas of Portsmouth were particularly noted for disturbances. For example, on 23 April 1844[117] six men, aged 16–30 years, were apprehended in White's Row, but all were discharged on paying 2*s*. 6*d*. court costs and making a promise of good behaviour; also in White's Row on the 25th a male and a female were arrested and detained 12 hours before being discharged; and on the same night in White's Row, two females were taken into custody, one of whom was summarily convicted and given 21 days hard labour.

Analysis of the ages of those apprehended for drunk and disorderly behaviour in 1844 indicates that the highest proportion of male offenders were 22–25 years old, tending towards the higher age, with another peak at 30–31 years. Nearly 26% of the female offenders were 20–21 years of age and there was another peak at 30–31 years. A high proportion of these were prostitutes and, in the case of the males, sailors and soldiers.

Although Portsmouth had such a high incidence of drunk and disorderly conduct, the number of cases committed was, in fact, comparatively low. In the period 1858–1875, there was an average of 246 summary proceedings per annum (16% of total summary proceedings and 13% of 'total crime'). The rates of such offences per 1,000 of the population in Portsmouth were consistenly lower than similar rates for Leeds, Lancashire and the total for England and Wales, from which it might be inferred that the police and authorities turned a blind eye to the problem, choosing not to prosecute, and accepting that drunk and disorderly behaviour was a fact of life to be tolerated in this rumbustious town.

Treatment of Offenders

It was mentioned earlier that capital punishment had been abolished for all but four offences by 1861. Transportation was an alternative form of sentence for the 'serious' crimes until the Penal Servitude Act, 1853, substituted hard labour in prisons at home. A system of transportation to the West Indies and the American colonies had been in use since the early sixteenth century but the struggle for independence effectively terminated transportation to America in 1775. New destinations were sought. On 13 May 1787, the First Fleet of convicts set sail from Portsmouth to Botany Bay,[118] the start of a continuous flow to Australia and Van Diemen's Land until transportation ceased entirely in 1868.[119]

Sentence of transportation for the kind of offences committed seems harsh by today's standards. All but very few

BOROUGH OF PORTSMOUTH POLICE REPORT, 1849

Portsea **DISTRICT.** January 343

Date.	Hour brought to Station.	Age.	Names of Persons charged.	Charge.	How disposed of.
Thursday Jan.y 18th	Midnight	17	Charles Hart	Drunk and Disorderly	Detained for the night discharged by the Court
Friday 19th Jan.y 19	1 Oclock		In the Morning Beer House Kept by John Fruckney situated in Queen Street found 10 Men and 12 Women some with Victuals on the Tables;	Inspector Astridge & P.C Exton Visited the Club Room 12 Glass's Convicted and fine 20/- and 11/6 Costs Each	
Saturday 21st	9 Oclock Evening	20	John Poole a Marine	Drunk and Disorderly	Detained for the night discharged in the Morning by Wm. Jones Esqr
	1 Oclock Morning	40	Sarah Best Prostitute	Charged with Stealing 1 Sovereign, & 3 Keys from the Person of Henry Hutson	Detained for the night discharged in the Morning by Wm. Jones Esqr the Prosecutor not Appearing

were for property offences, mainly trivial cases of larceny. Transportation was given to first time offenders at Assizes for the most serious of crimes only, generally instead of capital punishment; otherwise, it was given to offenders who had previous convictions. There were in Portsmouth nine transportations out of 47 convictions for felony (20%) in 1831 and 15 out of 62 (25%) in 1832,[120] and a sample analysis in the period 1834–1845 shows that an average of 13% of indictable offenders were given this sentence just before cessation of transportation. In giving sentence, the Bench appeared not to have regard to age, sex or marital status. In Portsmouth for example, in 1844, James Bramsdean, aged 13, labourer, was sentenced to ten years transportation for feloniously stealing and taking away a quantity of biscuits;[121] he had previously been sent to prison for six months hard labour and whipped for taking part in the theft on 23 February 1843 of various articles, the property of Sarah Newton,[122] with John Norris, aged 16, labourer (who was sentenced to 15 years transportation after previous convictions). In another example, Emma Cato, aged 22, and Eliza Dore, aged 18, both married, were sentenced to ten years transportation each for stealing money from the person of William Pope.[123]

In giving these harsh sentences, it must be said that the Bench were motivated by their sense of justice and duty, according to the standards of the day. The Recorder of Portsmouth Quarter Sessions, Mr Thomas Phinn, passing sentence of ten years transportation on William Coops, for stealing a pewter mug from George Addison, five coal bags from John Colling, a copper boiler from Charles Burgess and a frock coat from George Richardson, said

> You are one of that class of persons who are a pest to society; you are a terror to persons who wish to gain an honest livelihood . . . you were convicted for vagrancy in 1843 (had) a second conviction for robbing gardens in that year (and) the same sentence in September and October for similar offences . . .[124]

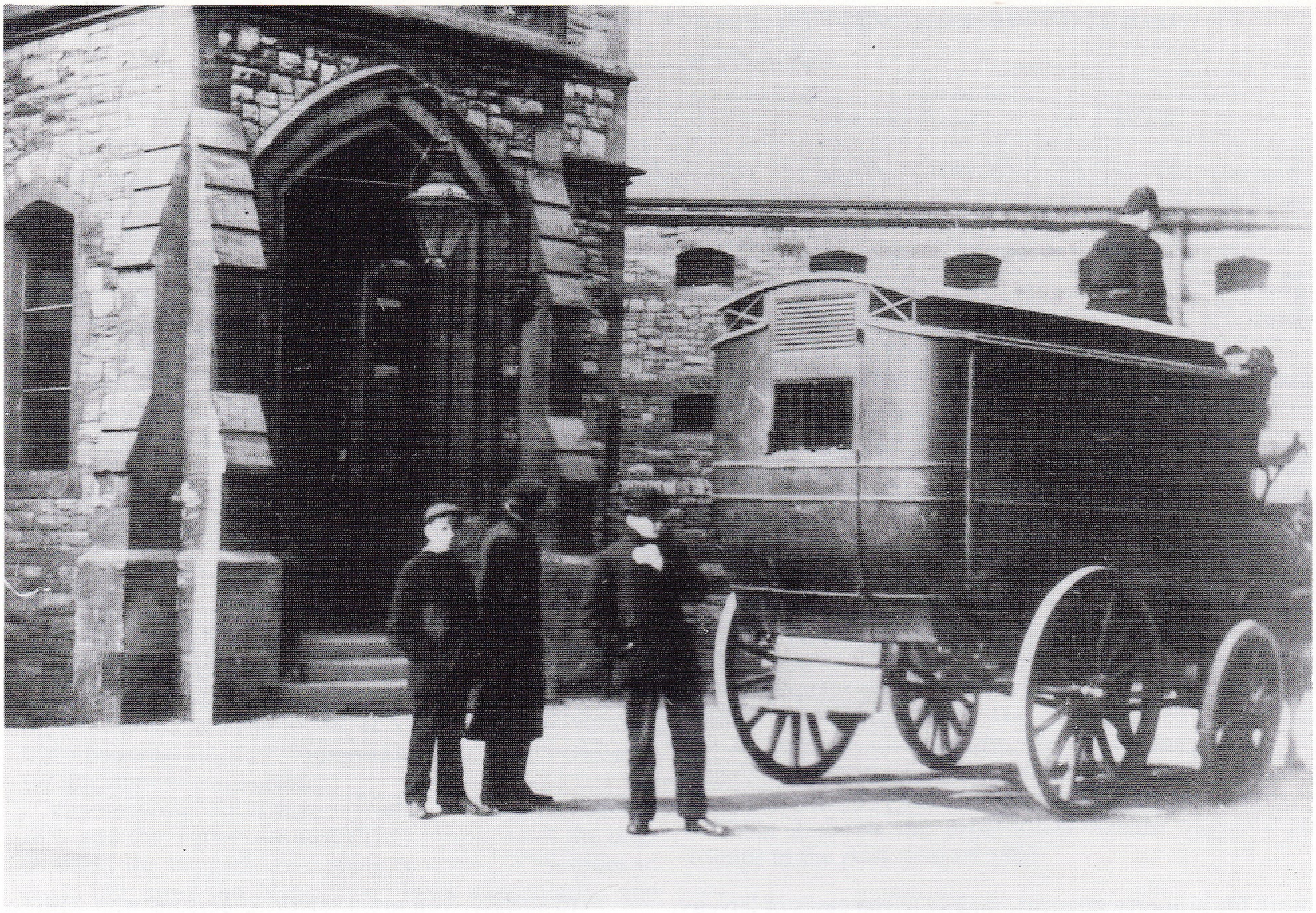
On the other hand, some compassion is detected in the case of Jane Lenington, a widow, who while lodging in a rented room of Patience How, stole from her two pillows, a cloak and other property and pawned them.

A fragment heard in the court was

> *The Recorder (Mr Thomas Phinn):*
> I am afraid you are a very dangerous person . . . you have been convicted before for wholesale robbery.
> *Prisoner:*
> It is really distress, Sir.
> *Recorder:*
> Distress is no reason. I am afraid I am much neglecting my duty in not transporting you for the protection of yourself and society.
> *Prisoner:*
> No Sir, for the sake of my children.

The sentence on this occasion was 12 months with hard labour, the last three months in solitary confinement.[125]

Imprisonment was the sentence given to the bulk of indictable offenders and to about 70% of those committed summarily. There were two forms of detention: national prisons, or hulks, which were under the control of the Secretary of State for the Home Department and housed



those who had been sentenced to death or transportation, and, after 1853, for penal servitude prisoners; and local gaols, like Portsmouth borough gaol, under the control of the Justices of Quarter Sessions, for offenders who had been sentenced to imprisonment, or were awaiting trial. The local prisons were transferred in 1878 to the Prison Commission, a department of the Home Office.

After the Penal Servitude Act of 1853, custodial sentences tended to be shorter,[126] and 'tickets of leave' given to long serving convicts. The police were given little authority to supervise the behaviour of 'ticket of leave' convicts until the Penal Servitude Act of 1864. The effect of this Act can be seen in the sentences given in Portsmouth in the 1870s. In 1874, for example, nearly 50% of all committed indictable offenders were to be subjected to police supervision after release even where the sentence was comparatively short. Typical cases were:

> Margaret Garrett, married, aged 51, was sentenced to nine months imprisonment with five years police supervision for two charges of stealing 2yds. 20ins. of gold lace and 24 steel table forks; Timothy Lee aged 62, pensioner, received seven years penal servitude and one day together with seven years police supervision to follow, for two charges of stealing clothing.[127]

Over 40% of the sentences given by the Magistrates summarily were for under 14 days hard labour. Male juveniles were frequently whipped in addition to serving their sentences. For example, Frank Potter, aged 14, and his brother, John Potter, aged 12, were both given one week in gaol and 12 strokes of the birch.[128] Fines were imposed in 30% to 40% of cases mostly for assaults and malicious damage

Reformatory and Industrial Schools were introduced respectively in 1854 and in 1857. Reformatory Schools took children who had committed crimes punishable with imprisonment, and Industrial Schools were used for children who had committed minor offences but whose living conditions were such that they were in danger of becoming criminals. Portsmouth offenders were sent to the Hampshire Reformatory at Eling, which was partly supported from borough funds at £5 per head.[129] The introduction of this form of sentencing led to a sharp drop in juvenile crime by eliminating hordes of thieving youngsters and removing young people from their criminal environment, so improving their chances of leading a better and more honest life.

A few words might here be said about the gaol serving the Borough of Portsmouth until the Kingston Prison was opened in 1874. The gaol, commenced in 1805 and completed in 1809 to replace the old *Whitehouse* in the High Street, was situated at the top of Penny Street near Cambridge Barracks. Above the gaol was the Sessions House where Quarter Sessions, Petty Sessions and Court of Record were held. Examples of the occupancy of the gaol on different occasions are: 51 males and 12 females in 1842, 99 males and 31 females in 1862 and, at 29 September 1874, 51 males and 12 females. Table 6 gives an analysis

Police BLACK MARIA outside Portsmouth (Kingston)
Prison in late nineteenth century
Mr James Cramer

Table 6

Offenders committed to Portsmouth gaol awaiting trial or summarily convicted, during the year to 29 September 1874.

OCCUPATIONS	Male No	%	Female No	%
Labourers, Charwomen and Needlewomen	216	41.4	106	39.8
Sailors Marines and soldiers	143	27.4	—	—
Mechanics and Skilled workers	67	12.8	—	—
Shopkeepers and Dealers	47	9.0	4	1.5
Factory Workers	4	0.8	1	0.4
Domestic Servants	2	0.4	10	3.7
Shopmen	1	0.2	—	—
Clerk	1	0.2	—	—
Professional Employment	2	0.4	—	—
Prostitutes	—	—	139	52.3
No occupation	38	7.4	6	2.3
Total:	521	100.0	266	100.0
AGES				
Under 12	16	3.1	—	—
12 and under 16	44	8.4	4	1.5
16 and under 21	73	14.0	49	18.4
21 and under 30	193	37.0	113	42.5
30 and under 40	92	17.7	55	20.7
40 and under 50	55	10.6	25	9.4
50 and under 60	26	5.0	16	6.0
60 and over	22	4.2	4	1.5
Total:	521	100.0	266	100.0
DEGREE OF INSTRUCTION				
Neither Read nor Write	105	20.1	66	24.8
Read or Write Imperfectly	400	76.8	198	74.4
Read and Write Well	15	2.9	2	0.8
Superior Education	1	0.2	—	—
Total:	521	100.0	266	100.0

Source: *Hampshire Telegraph*, 17 October 1874. Reclassified and percentages added by Author.

of the total number of offenders occupying the gaol during the year to that date showing their occupations, ages and degree of literacy. The most common occupations of the males are seen to be 40% labourers and over 27% sailors, marines and soldiers, and in the case of the females, 40% charwomen and needlewomen and 52% prostitutes. Of the total male offenders, 25% were under 21 years of age and 37% over 21 and under 30 years of age, 97% being either illiterate or semi-literate. In the case of female offenders, 20% were under 21 years of age and 42% between 21 and 30 years of age, 99% being either illiterate or semi-literate.

With regard to the régime in the gaol, a treadmill, erected in 1832, which pumped water, and served as an apparatus of hard labour, occupied ten men three hours; women and boys picked oakum. On the whole, however, life in the gaol became lazy in later years as there was not enough work to occupy the prisoners.

Throughout the period under consideration, there was insufficient accommodation to enable the requirements of the Gaol Acts 1823 and 1839, such as the Silent and Separate Systems, to be fully complied with, the young and old, and hardened and petty criminals, being able to converse together. Opening the Hilary Sessions in 1850,[130] the Recorder, Mr Thomas Phinn, remarked of the gaol

> . . . . there is no means of enforcing silence or of preventing prisoners being corrupted by other prisoners . . . . Convicts have increased alarmingly in late years . . . . If prisons are not rendered places to be dreaded, the number of prisoners will continue to increase . . . . The first object of our prison discipline is to reclaim fellow creatures.

Apart from the size and suitability of the building, there were problems due to the number of sailors, soldiers and marines in the gaol, the long custodial periods before trial and the number imprisoned for trifling misdemeanours.[131] Both visiting Justices[132] and the Government Inspectors of Prisons[133] reported on the need for measures to improve the gaol, but only comparatively minor modifications were undertaken.[134]

In addition to the borough gaol, a convict prison was erected near Anchor Gate and Dock Police Station in 1852–1853 to replace the hulks in the harbour which housed prisoners awaiting transportation and those serving long term sentences. This was a four-storey building 100 yards long having a capacity for 1,000 convicts and 100 warders, with an infirmary of 40 beds, and a chapel also doubling as a school where 100 convicts at a time were taught writing and geography, each receiving a half day's schooling weekly.[135] Convicts were employed as labourers

in Government establishments, in the Dockyard and elsewhere from time to time, as they had been when in the hulks. This new prison must undoubtedly have been a vast improvement on the hulks, a familiar sight in the waters around Portsmouth since the 1780s, for the hulk convicts were accommodated in cramped, dank, unhealthy and degrading conditions.[136] The first news of this development that the prison was intended as a substitute for, not an addition to, the hulks, a surprise, was followed by outrage, which provoked the Council to petition the Queen expressing

> . . . . deep anxiety and concern with which we in common with the inhabitants at large have heard of the intention to erect a large convict prison within this densely populated borough in immediate contiguity with the Dockyard and within the walls of this garrison in substitution for the floating hulks . . .
>
> . . . . we believe such a measure will affect most injuriously the inhabitants of these towns that it will be not only prejudicial in a moral point of view but fraught with danger . . . .[137]

This reaction was understandable since reports of serious disturbances on the hulk *Stirling Castle*, as recently as 1852,[138] must have been well known to the councillors.

Conclusion

This paper provides a glimpse of the state of law and order in Portsmouth at a time when society was undergoing great change. The Victorian period was an era of reform, experimentation and hope. By the time the mid-period flowered, many of the barbarities of the criminal law had been abandoned, penal servitude or imprisonment was replacing transportation, sentences were tending to be shorter, and problems of juvenile crime and misbehaviour were being tackled. The regular police force, established in Portsmouth in 1835, which at first made little impact on criminal behaviour, gradually asserted itself as it was moulded into a more professional and disciplined unit. Civic pride blossomed and the authorities, no less so in the borough of Portsmouth, applied themselves to ameliorating the offensive social problems which blighted their communities.

Nevertheless, mid-Victorian Portsmouth would have been familiar to several generations of observers. Here was a scene of a bawdy, hard-drinking, 'good time' town of sailors, soldiers and others whose every need was met. Drinking establishments, prostitutes, vagrants, urchins and other disreputable characters abounded. Within this turbulent and boisterous environment, the police, spread thinly in the district, endeavoured to maintain law and order, apprehending if they could as the situation demanded, and sometimes in hazardous circumstances, but probably closing their eyes to the generality of behaviour.

Poverty, deplorable social environments and rough culture were widespread conditions throughout the nineteenth century. In Portsmouth limited industrialisation, apart from the Dockyard, cramped urban development, and the nature and composition of its population, tended to exacerbate such conditions. The many unwholesome and unsavoury areas of Portsmouth were breeding grounds for anti-social behaviour and havens for criminals. But the borough had other characteristics inimical to good order. Within the enfolding walls of Portsea and Portsmouth, the naval and military population generated tensions, and was tempted to profligate behaviour and sometimes crime. Such behaviour had long been accepted and tolerated as a way of life in Portsmouth. Visiting opportunists to the borough further augmented the crime statistics, and a convict presence from the hulks, and later the convict prison, was a constant reminder of crime.

Yet, widespread as was criminal and disorderly behaviour, the evidence examined in this paper suggests that it was less dramatic, violent and vicious than might at first be expected. The majority of crime in the district involved

John Astridge (1817–1888), Governor of Portsmouth (Penny Street) Gaol, 1846–1879 (including Governor of Kingston Gaol during its early period), appointed Constable in Portsmouth Police Force, 1838, and Turnkey of Newport Gaol, 1843–1846. Son of Inspector John Astridge of Portsmouth Police Force, who was one of the police imprisoned by the military in 1839 (see reference 21), Photograph c1870
Portsmouth City Museums

petty, non-violent property offences, such as pickpocketing, squalid offences involving drink and prostitution, common assaults on the police, family and drinking companions, and offences newly criminalised. Professional crime did not appear to be extensive nor was much of the violence gratuitous.

Some comparisons of this period with today cannot have escaped notice. Society was agonising about the extent of crime, and its causes, and how best to deal with these and associated problems; prisons were overcrowded, and the police overstretched, and both were under-resourced; local authorities reacted to the encroachments of central government, and people sprang to the defence of individual freedom and sanctity of property above all else. *Plus ça change, plus c'est la même chose.*

APPENDIX
INDICTABLE CRIMES COMMITTED (AS FAR AS KNOWN TO THE POLICE) AND OFFENCES DETERMINED SUMMARILY IN PORTSMOUTH POLICE DISTRICT, 1858–75

	Indictable Offences		Summary Offences		Total crime		Serious crime*
	No	%	No	%	No	%	%
OFFENCES AGAINST THE PERSON							
Murder	12				12		
Attempts to Murder	8				8		
Manslaughter	16				16		
Concealing birth of infants	9				9		
Attempts to procure miscarriage	2				2		
Attempts to commit suicide	92				92		
Sexual Offences							
Rape	21				21		
Attempts to ravish & abuse	26				26		
Sodomy & bestiality	14				14		
Attempts to commit sodomy etc	5				5		
Child stealing	3				3		
Assaults							
Attempts to do bodily harm	49				49		
Inflicting bodily harm	16				16		
Assaults on police officers	2		1,451		1,453		
Common assaults	4		3,161		3,165		
Aggravated assaults on women & children			282		282		
TOTAL	279	4.0	4,894	16.8	5,173	14.3	26.7
OFFENCES AGAINST PROPERTY INVOLVING VIOLENCE							
Robbery on the highway	40				40		
Attempts to commit robbery	3				3		
Burglary & Housebreaking	312				312		
Breaking into shops warehouses etc.	38				38		
Attempts to break into shops, warehouses etc	14				14		
TOTAL	407	5.8			407	1.1	2.1

OFFENCES AGAINST PROPERTY NOT INVOLVING VIOLENCE							
Larceny							
To value of £5 in dwelling house	301				301		
On rivers, canals, wharfs etc	344				344		
Simple larceny	4,345				4,345		
From the person	653				653		
Attempts from the person			342		342		
To value of 5*s*., plea guilty			2,841		2,841		
To value of 5*s*.			1,375		1,375		
Offenders under 16 years			1,201		1,201		
By servants	90				90		
By servants in the P.O.	2				2		
Horse Stealing	12				12		
Sheep Stealing	1				1		
Cattle Stealing	3				3		
Attempts to Steal	15				15		
Stealing of fixtures	22				22		
Stealing dogs, birds or beasts			45		45		
Stealing fruit & vegetable, produce			479		479		
Stealing fences, wood etc			45		45		
Stealing trees, shrubs etc			40		40		
TOTAL	5,788	82.1	6,368	21.8	12,156	33.6	62.8
EMBEZZLEMENT	77	1.1	15	0.1	92	0.2	0.5
RECEIVING STOLEN GOODS	58	0.8			58	0.2	0.3
OBTAINING GOODS BY FALSE PRETENCES	236	3.3			236	0.6	1.2
MALICIOUS OFFENCES AGAINST PROPERTY							
Arson & other wilful burning	6				6		
Cruelty to Animals	1		230		231		
Other wilful & malicious injuries to property	3		836		839		
to property exceeding £5	9				9		
Malicious destruction of trees, shrubs etc			19		19		
Malicious destruction of fences & walls			8		8		
Malicious destruction of fruit & vegetable producn			9		9		
TOTAL	19	0.3	1,102	3.8	1,121	3.1	5.8
OFFENCES AGAINST THE CURRENCY							
Forgery & Uttering	34				34		
Illegal possession of B of E notes	1				1		
Uttering & Putting Off etc	70				70		
TOTAL	105	1.5			105	0.3	0.6

RIOTS, BREACHES OF THE PEACE ETC.						
Riot, Breaches of Peace etc	5		388		393	
Bastardy Orders			51		51	
TOTAL	5	0.1	439	1.5	444	1.2
DRUNK & DISORDERLY OFFENCES			4,672	16.0	4,672	12.9
VAGRANCY OFFENCES						
Disorderly Prostitutes			1,613		1,613	
Begging			1,364		1,364	
No visible means of subsistence			61		61	
Found on enclosed premises			209		209	
Frequenting places of public resort etc to commit felony			106		106	
Incorrigible rogues			6		6	
Other offences			160		160	
TOTAL			3,519	12.0	3,519	9.7
STATUTORY OFFENCES						
Local Acts			3,608		3,608	
Gaming Acts			—		—	
Licensing Acts			1,338		1,388	
Mutiny Act etc			515		515	
Nuisances & Offences against Health			94		94	
Pawnbrokers Act			21		21	
Police Acts			419		419	
Poor Law Acts			284		284	
Refreshment Houses Act			250		250	
Revenue Laws			129		129	
Factory Act			6		6	
Ways Acts			381		381	
Weights & Measures Acts			339		339	
Offences relating to Apprentices or Masters			74		74	
Elementary Education Act			201		201	
TOTAL			7,659	26.2	7,659	21.1
MISCELLANEOUS OFFENCES						
Bigamy	10				10	
Sacrilege	3				3	
Abandoning children	4				4	
Endangering passengers on railways	1				1	
Perjury	3				3	
Threatening letters to extort	1				1	
Indecently exposing the person	5				5	
Other felonies (unclassified)	18				18	
Misdemeanours (unclassified)	34		537		571	
TOTAL	79	1.0	537	1.8	616	1.7
GRAND TOTAL	7,053	100.0	29,205	100.0	36,258	

Source: Judicial Statistics, *Parliamentary Papers*, 1858–1875, Police Contents, Table 4, Indictable Offences: Nature of the Crime Committed (as far as known to the Police) in Portsmouth Police District and Table 7, Offences Determined Summarily: Number of Persons Proceeded against before the Justices in Portsmouth Police District. These statistics have been regrouped and percentages added.

* Total of Indictable Offences and Summary Offences against the Person, against Property and Malicious Offences against Property.

ACKNOWLEDGEMENTS

Since this paper is the fruit of research done for a dissertation prepared for the Portsmouth Polytechnic Diploma in English Local History, a debt of gratitude is due to all the tutors concerned with that course for stimulating my interest in local history and presenting the opportunity to undertake this study. In particular, I thank most sincerely Dr James Thomas, the course Director, and Dr Ray Riley, my dissertation supervisor, for their constant interest, encouragement and wise counsel. Without them this paper would not have been completed.

I am grateful also to the staff of the Portsmouth City Records Office, Portsmouth City Library and Portsmouth Polytechnic Library, and to Miss Marshalsea of Southampton University Library, for their unfailing cooperation, help and courtesy, during the arduous period of data collection. Thanks are due also to Mr Alistair Penfold, Curator of Fareham Museum and formerly of Portsmouth City Museum, and Mr James Cramer for their assistance in the selection of illustrations, and to Portsmouth City Reprographic Department for their photographic work.

NOTE ON THE AUTHOR

Fred Edwards was born in Chester but has resided in Portsmouth since 1968. An Economics graduate of London University, a Chartered Management Accountant and Chartered Secretary, he was an Accountant in various industries for many years before changing career to education, retiring as Deputy Head of the Business School at Portsmouth Polytechnic in 1985. His many interests include genealogy, industrial archaeology and local history. One of the founder members of the Hampshire Genealogical Society, he was its Treasurer for ten years. Immediately after his retirement he became a student at Portsmouth Polytechnic, gaining a Post Graduate Diploma in English Local History, and the Gale Prize for the dissertation he presented.

REFERENCES

1 H. Slight, quoted in W. G. Gates, *Illustrated History of Portsmouth*, (Portsmouth, 1900), p. 216.
2 R. Dolling, *Ten Years in a Portsmouth Slum*, (1897), p. 127.
3 See, for example, the bibliography in J. J. Tobias, *Crime and Industrial Society in Nineteenth Century Britain* (1967).
4 H. Mayhew, *London Labour and London Poor,* (4 vols. 1861–1862); H. Mayhew & J. Binney, *The Criminal Persons of London and Scenes of Prison Life,* (1862); T. Beggs, *An Enquiry into the extent and causes of Juvenile Depravity*, (1849).
5 Quoted in D. Jones, *Crime, Protest, Community & Police in Nineteenth Century Britain* (1982), p. 9.
6 L. Radzinowicz, *A History of English Criminal Law*, (vol. 1 1948), p. 76. This statute was enacted to stop deer stealing and other depredations which were rife at that time in the forests of Waltham, Hampshire, by persons in disguises and with black faces – hence the name: Radzinowicz, *Ibid.* p. 50. 'There is hardly a criminal act which does not come within the provision of the Black Act; offences against public order, against the administration of justice, against property, against the person, malicious injuries to property – and all were punishable by death': *Ibid.*, p. 77. For a full discussion of the act and its significance see *Ibid.*, pp. 49–79.
7 W. Besant, *Fifty Years Ago*, (1892), p. 72.
8 In London and Middlesex, for example, between 1749 and 1771, only 72 out of the 678 people executed were murderers: R. Porter, *English Society in the Eighteenth Century*, (1982), p. 152.
9 L. Radzinowicz, *op. cit.*, vol. 1, p. 51.
10 The Committee of the Anti-Capital Punishment Society reported in 1840 on the success of the transition from a system of indiscriminate rigour to one of comparative mercy, recording the fact that in England and Wales there had been 114 executions in 1821, 59 in 1828, 17 in 1836, six in 1838 and that there had been fewer highway robberies, burglaries and housebreakings: *H(ampshire) T(elegraph)*, 2107, 24 Feb. 1840.
11 This appendix has been compiled from the Criminal Registrar's returns contained in the Judicial Statistics of the *Parliamentary Papers* published annually for the first time in 1857 in respect of police districts. Portsmouth police district comprised Portsmouth, Portsea, Landport, Southsea and Kingston, and such other parts of Portsea Island which at that time lay within the jurisdiction of the Borough of Portsmouth.
12 *Reports from Commissioners on Municipal Corporations in England & Wales*, (1834), p. 811.
13 P(ortsmouth) C(ity) R(ecords) O(ffice), CM1/1, Minutes of Portsmouth Borough Council, 15 Jan. 1856.
14 P.C.R.O., Minutes of Portsmouth Borough Council, CM1/1, 4 May. 1840. The petition was sent on 20 July 1840.
15 *Ibid.* CM1/3, 5 Dec. 1853. See also CM1/3, 9 Nov. 1853; 16 June 1854; 2 Apr. 1856.
16 *Ibid.*, CM1/3, 4 Aug. 1856.
17 *Ibid.*, CM1/3, 14 March 1852. See also CM1/3, 7 March 1851; 2 Feb.; 20 March 1852; 18 Apl. 1853; 17 July 1854.
18 *Ibid.*, CM1/3, 18 Apl. 1853.
19 *Ibid.*, CM1/3, 13 June 1856.
20 *Ibid.*, CM1/1, 5 Dec. 1836.
21 *Ibid.*, CM1/1, 15 July 1839. See also *H.T.*, 19 & 29 June 1839. This situation arose when two policemen intervened in an argument between a group of men and women in Battery Row in the early hours of 4 January 1839. Sergeant McCormick and several soldiers of the 84th Regt., on duty at the

main guard, had hooted and hissed just as the police were dispersing the crowd, resulting in further disturbance. On being admonished for this interference, the Sergeant ordered one of the policemen to be taken to the guardroom. The second policeman informed Inspector Astridge* at the station house, who thereupon proceeded to the guardroom accompanies by the policeman, a coachman and another civilian who had been assaulted by the soldiers. The request to release the policeman was refused. The inspector and the civilians departed, the second policeman remaining to speak to his colleague. On being threatened with arrest, and saying he would knock down the first soldier to approach him the policeman was bayonet charged by a corporal and two soldiers, chased, and in turn, arrested. The inspector and the two civilians later returned and were also arrested. At three o'clock in the morning, the officer of the guard, Lt. Blackwood, arrived and ordered the imprisonment of all five involved. At half past four, Inspector Astridge and the others were marched, accompanied by Corporal Green and a file of soldiers, to the station house. The circumstances were reported to the Mayor and Magistrates and warrants issued for the arrest of the officer, sergeant, corporal and a drummer. The officer, sergeant and the corporal were subsequently sentenced for false imprisonment, but as a result of government department intervention, the sentence was later set aside.

*Inspector Astridge appointed Beadle to the Commissioners of Portsmouth, 1823, constable Portsmouth police, 1835, sub-inspector, 1839, inspector 1847. His son John, became a constable in Portsmouth police, 1838, and was Governor of Portsmouth gaol, 1846–1879.

22 *Ibid.*, CM1/2, 1 Feb. 1847.

23 J. L. Field, 'Bourgeois Portsmouth,' *1815–1875*, unpublished Ph.D. Thesis, University of Warwick, 1979.
In the *Report from the Commissioners on Municipal Corporations*, 1834, the comment was made that 'want of watchmen was not felt sufficiently to make it worthwhile to encroach upon the rates'. Some inhabitants, however, thought that 'watchmen were necessary, not because of fear of crime, but because of annoyance caused by the disorderly state of the streets'.

24 P.C.R.O., CM1/1, 15 Jan. 1856.

25 *Ibid.*, CM1/1, 27 Feb. 1836.

26 *Ibid.*, CM1/1, 23 July 1836. The report after the first 6 months included the comment:
'With regard to the increased force required without the walls, the necessity arises from the circumstances of the night constables having to patrol around the agricultural portion of the district being obliged as well for their own protection, as for the effectual discharge of their duties, to go double handed, experience having in several circumstances shown that one person has been unable to cope with the description of persons generally concerned in the robberies from the market gardens and farms. It will, therefore, be obvious that the thickly populated parts of Southsea, Landport and Kingston must under such circumstances be left in a very inadequate state of protection . . . . . In recommending the additional night watchmen for the town of Portsea the committee would thereby observe that the necessity . . . . arises from the circumstances that two out of every four in the district are almost constantly required to be in the Old Rope Walk and its vicinity for the purpose of checking the frequent disorders arising in that neighbourhood'.

27 *Ibid.*, CM1/1, 11 Dec. 1839.

28 J. Cramer, 'A History of the Police of Portsmouth', *The Portsmouth Papers*, No. 2 (1967).

29 P.C.R.O., CM1/2, 6 Apr. 1840.

30 *H.T.*, 2156, 11 Feb. 1841.

31 P.C.R.O., CM1/2, 10 July 1848.

32 *Ibid.*, Portsmouth Borough Watch Committee Minutes Book, CCM1/2, 1 Aug. 1848.

33 *Ibid.*, CCM1/2, 15 Jan. 1850.

34 *Ibid.*, CCM1/2, 8 Oct. 1850.

35 *Ibid.*, CCM1/2, 11 Jan. 1848.

36 *Ibid.*, CCM1/2, 15 Jan. 1850; 12 Dec. 1855.

37 *Ibid.*, CCM1/1, 23 Apl. 17 Sept. 1840; 8 March; 6 Sept. 1841.

38 *Ibid.*, CCM1/2, 19 Apr. 1850.

39 *Ibid.*, CCM1/2, 13 May 1851; 13 Jan. 1852.

40 *Ibid.*, CCM1/3, 11 July 1854.

41 *H.T.*, 2848, 6 May 1954. The newspaper reported that Mr Ralph said:
'If any class of men than another deserved liberal treatment, it was the Police. They expected them to be men of good temper; men possessing a certain amount of knowledge; men of good manners and good morals. It was known that they were exposed to many temptations and they were expected to rise above them. They were taken from their families and had important duties to perform. They were exposed to the bitter nights of winter and the hot nights of summer; and the members of the Council, while lying comfortably in their beds – on their mattresses in summer and their feather beds in winter, little knew the privations those worthy men went through . . . . if they (the Council) looked at the charges of the Recorder in various parts of the United Kingdom, to go no further away than the late charge of the Recorder of this borough, they would find it lamented that there was a large increase in juvenile delinquency. When they saw the mammoth establishments – those receptacles of stolen goods, those nurseries of every description of depravity and crime, those infamous dens of every description of vice that perverted and polluted all that came within their way, and demoralised, not only the youth, but other sections of the community' . . . (they would feel the police were deserving of more liberal treatment).

42 *Ibid.*, CM1/4, 2 Aug. 1858.

43 *Ibid.*, CM1/4, 20 Aug. 1858.

44 *Ibid.*, CM1/4, 21 Sept. 1858.

45 *Ibid.*, CM1/4, 16 Nov. 1862.

46 *H.T.*, 2841, 18 March 1854. This was a report of an incident of drunk and disorderly behaviour and fighting in Grand Parade which Inspector Dowsett attended and attempted to pacify. When asked by the presiding magistrate, the Mayor, Major Travers, why he (Inspector Dowsett) had not taken a constable with him to facilitate arrest, Inspector Dowsett replied: 'We have but one man in the day time to be on duty in Portsmouth and he is generally walking the streets'. Major Travers commented that 'there is an insufficiency of police to take charge of so large a borough . . . . the growing importance of having a sufficient police force is daily exhibiting itself'.

47 *Ibid.*, CCM1/1, 30 Nov. 1837.

48 *Ibid.*, CCM1/1, 19 July 1838.

49 *Ibid.*, CCM1/2, 31 Oct. 1842.

50 *Ibid.*, CCM1/2, 2 July 1842.

51 *Ibid.*, CCM1/2, 12 Mar. 1848.

52 *Ibid.*, CM1/2, 20 Mar. 1848.

53 *Ibid.*, CM1/4, 3 May 1858.

54 *Report of the Commissioners on Municipal Corporations in England & Wales*, 1834. A comment was made in the report that:

'The number of convictions for the last 10 years bears a smaller proportion to the number of trials than we expected to find; this was satisfactorily accounted for in the following manner. A large proportion of the prosecutors are seafaring men, or strangers temporarily residing in the town; on the day of the trial many of those bound over the Sessions, have left the neighbourhood, and from this cause the prosecution is not maintainable'.

55 *H.T.*, 2628, 16 Feb. 1850.

56 *Ibid.*, 2623, 12 Jan. 1850.

57 P.C.R.O., S7/2, Oct. 1855.

58 P.C.R.O., S7/1, Jan. 1845.

59 *H.T.*, 2639, 4 May 1850.

60 *Ibid.*, 2630, 2 March 1850.

61 P.C.R.O., S7/1, June 1843.

62 *Ibid.*, S7/1, June 1843.

63 D. Philips, *Crime and Authority in Victorian England: The Black Country, 1835–1860*, (1977), Table 27, p. 178.

64 P.C.R.O., S7/2, Jan. 1855.

65 *Ibid.*, S7/3, Apr. 1864.

66 *Ibid.*, S7/3, Jan. 1864.

67 *Ibid.*, S7/1, Jan. 1853.

68 R. J. B. Knight, 'Pilfering and theft from the Dockyards at the time of the War of American Independence', *The Mariner's Mirror*, lxi (1975) pp. 215–225, J. Field.
'The Diary of a Portsmouth Dockyard Worker', *Portsmouth Archives Review*, Vol. 3 (1978).

69 The majority of convictions in the period covered in this paper attracted sentences of three to six months imprisonment. Severer penalties were given for more serious thefts, or where the offender had previous convictions. For example, Charles Bunting, aged 58, painter, who stole glass, tin, iron, brass and mixed metals, was sentenced to 14 years transportation. P.C.R.O., S7/1, Apl. 1844. Earlier in the century, sentences invariably would have been transportation, and earlier still, execution.

70 P.C.R.O., S7/3, Jan. 1864.
Sheets of copper and other metals were stamped with broad arrows to identify them in the event of pilfering. In April 1855, John Lyons, labourer, was before the court, being in possession of 42lbs of metal marked with a broad arrow, but in this case no prosecution was brought: *P.C.R.O.* S7/2.
There was a ready market for the disposal of such items. At the Quarter Sessions in 1863, Saul Suter, dealer, was charged with being in possession of 1cwt. of copper from naval stores, but in this case, a verdict of Not Guilty was found.

71 *Ibid.*, S7/1, Apr. 1854.

72 *Ibid.*, S7/1, Oct. 1845.

73 W. White, *History and Gazetteer and Directory of Hampshire and the I.O.W.*, (Sheffield, 1859).

74 P.C.R.O., S7/3, Oct. 1865.

75 *Ibid.*, CM1/2, 1 May 1848.

76 *Ibid.*, CCM1/2, 5 May 1848.

77 *Ibid.*, S7/3, Oct. 1864.

78 *Ibid.*, S7/3, Oct. 1864.

79 *Ibid.*, S7/3, Oct. 1864.

80 *Ibid.*, 123A1/1/1, 29 Oct. 1843.

81 *H.T.*, 2624, 19 Jan. 1850.

82 P.C.R.O., 6A/1/6, Summary Convictions Book, 14 July 1870.

83 Many 'social offences' were dealt with under statutory authority. For example, The Town Police Clauses Act, 1847 (10 & 11 Vict. C89), embodied a very wide range of prohibited behaviour which were subject to punishment by fines or imprisonment such as the following:
'Every person drunk in any street and guilty of any riotous behaviour in any police office or any police station house . . . . shall be liable to a penalty not exceeding 40*s*. for every such offence, or in the discretion of the Justice before whom he is convicted to imprisonment not exceeding 7 days.
Every common prostitute or night walker loitering and importuning passengers for the purpose of prostitution . . . shall be liable to a penalty of 40*s*. etc.
Every person who wilfully and indecently exposes his person . . . 40*s*. etc.'

84 *H.T.*, 2656, 31 Aug. 1850; *P(ortsmouth) T(imes)*, 10 May 1856; *H.T.*, 2953, 10 May 1856;
J. L. Field, 'The Battle of Southsea', *The Portsmouth Papers*, No. 34, (1981); *P.C.R.O.*, CM1/5, 10 Aug.; 24 Aug. 1874; *H.T.*, 4381–4385, 12, 15, 19, 26, 29 Aug. 1874.

85 P.C.R.O., CCM1/1.

86 *Ibid.*, CCM1/1.

87 *Ibid.*, CCM1/3.

88 For example, Michael Hurley was sentenced to one month with hard labour for calling at the homes of persons of Roman Catholic persuasion for alms, stating that he was a monk in great distress, having tricked the Reverend Mr Kelly of Portsea to give him the names of several of the congregation so that he could obtain relief: *H.T.* 23 Feb. 1850.

89 H. Mayhew, *London Labour and London Poor*, (4 Vols. 1861–1862); quoted in J. J. Tobias, *Crime and Industrial Society in the Nineteenth Century*, (1967), p. 73.

90 A vagrant, John Carter, was given seven days hard labour for begging. He had several begging placards and other papers pretending to be a poor crippled sailor and in another a poor disabled sailor: *H.T.*, 7 Jan. 1850.

91 P.C.R.O., 123A1/1/1.

92 *Ibid.*

93 W. G. Gates, *Illustrated History of Portsmouth*, (Portsmouth 1891), p. 486. Gates quoted Dr George Pinckard as saying in 1795:
'In some quarters Portsmouth is . . . crowded with a class of low and abandoned beings who seem to have declared open war against every habit of common decency and decorum . . . The riotous, drunken and immoral scenes of this place, perhaps exceed all others . . . . here hordes of profligate females are seen reeling in drunkenness, or plying upon the streets in open day with a broad immodesty which puts the great orb of noon to the blush. His daughters of Cypria are not only of manners peculiar, but likewise of such peculiar figure that it were perhaps difficult in any part of England to find a correct semblance of "Sweet Poll of Portsmouth".'

94 An old naval surgeon, *An Address to the Officers of the Royal Navy*, (Dublin, 1924), p. 24, quoted in J. L. Field, 'Bourgeois Portsmouth,' op. cit.

95 W. White, *op. cit.*, p. 279.

96 *H.T.*, 2159, 22 Feb. 1841.

97 White, *op. cit.*, p. 278.

98 P.C.R.O., CCM1/2.

99 *Ibid.*, CCM1/3.

100 *Ibid.*, 123A1/1/1.

101 *Ibid.*

102 *Ibid.*, CCM1/3.

103 *Ibid.*

104 *Ibid.*, CCM1/3.

105 *H.T.*, 2656, 31 Aug. 1850.
The riot involved a large number of sailors of the frigate *Fox* and soldiers of the 50th Regiment quartered at Portsea. On the third night of the riot, the sailors were confined to their ship, but a large party of the soldiers mustered in Kent Road and Queen Street, marched to the Hard and smashed win-

dows at the *Row Barge Inn*. The officers of the regiment refused to accept civil power when asked to do so.

As a sequel to this event, it was reported in the *H.T.* on 29 Sept. that 40 to 50 boys had been parading for several nights, armed with sticks, acting sailors and soldiers, and attacking boys who would not join them. Three boys came before the Court and were discharged on promise of good behaviour; their plea was that Hanover Street started it by attacking them, 'then Bonfire Corner came down on them'.

106 *H.T.*, 2797, 14 May 1853.

107 *Ibid.*, 2799, 20 May; 2978, 1 Nov. 1856.

108 *Ibid.*, 3201, 9 Feb., 3202, 16 Feb. 1861.

This incident was sparked off by the zealous application of the Towns' Police Clauses Act, 1847, several informations having been laid against publicans and beerhouse keepers in Portsmouth for knowingly allowing prostitutes to assemble in their houses. In each case the offender had been convicted, the fine being a maximum of £5 under the act. As a result, dozens of prostitutes promenaded in the streets for two days. In an editorial on the 2 February 'hagged old women and besotted girls, whose progress was heralded by the jubilant shouts of children of both sexes, who appear to be receiving their first lessons of life in those filthy abodes of vice and infamy', patrolled the streets arm in arm. The editorial considered that vice could not be transformed by the strong arm of the law but rather by gentle Christian philanthropy. In this incident the remedy was thought to be worse than the distress.

109 Extracted from Table 4, p. 613 of J. L. Field, *op. cit.* The origin of the statistics was P.R.O., H.O. 9511/17273A.

110 P.C.R.O., 6A/1/6, Summary Convictions, March 1869–Apl. 1871.

111 *Ibid.*

112 *Ibid.*

113 P. Hollis, 'Women in Public', *The Women's Movement, 1850–1900*, (1979).

114 *H.T.*, 3994, 26 Nov. 1870.

115 P.C.R.O., 123A/1/1/1.

116 *Ibid.*

117 *Ibid.*

118 J. H. Thomas, 'Portsmouth and the First Fleet, 1786–1787', *The Portsmouth Papers*, No. 50 (1987).

119 For a detailed account of transportation during this period, see C. Bateson, *The Convict Ships, 1788–1868*, (Glasgow, 1959). Transportation of convicts ceased in 1840 to New South Wales, and in 1853 to Van Diemen's Land (renamed Tasmania in 1856). It continued to Western Australia until 1868, when it was abolished entirely, having commenced in 1850 at the behest of the settlers there, although 'government juvenile immigrants' were first sent to Western Australia from Parkhurst in 1843.

Altogether approximately 84,000 convicts (including 11,500 females) went to New South Wales, 67,000 (including 11 12,000 females) to Van Diemen's Land (including Norfolk Island and other Australian dependencies) and 9,720 men only to Western Australia, a total of 160,000 convicts: Bateson, *op. cit.* p. 9.

120 *Report from the Commissioners on Municipal Corporations*, 1834.

121 *H.T.*, 2311, 2 Jan. 1844.

122 *Ibid.*, 2256, 2 Jan. 1843.

123 *Ibid.*, 2259, 23 Jan. 1843.

124 *Ibid.*, 2633, 23 March 1850.

125 *Ibid.*, 2636, 13 Apr. 1850.

126 *H.T.*, 2846, 22 Apl. 1854. It was reported that Mr Massey, opening the April Quarter Sessions, commented on the large number of cases and the excessive mildness of sentences 'which had little tendency to discourage crime' and 'it appears . . . that the practice of producing former convictions has been abolished at our own sessions – on what grounds it is difficult to see – so that the man who makes his seventh appearance in the dock gets off as easily as the woman who makes her first, and in the course of a few weeks is thrown back on society to continue his felonious calling'.

127 P.C.R.O., S7/4.

128 *Ibid.*, S7/4, Jan. 1873.

129 *Ibid.*, CCM1/4, 22 Feb. 1858; CM1/4, 6 May 1861.

130 *H.T.*, 2623, 12 Jan. 1850.

Mr Thomas Phinn remarked that: 'the great body of prisoners are not from Portsmouth but persons who lead wandering lives and live by plunder; and one great temptation for them is to visit the borough because of the state of the gaol . . . the physical comforts must be reduced as much as possible in consistence with the maintenance of health and to deprive them of their usual society'. He said of the gaol that 'it is surrounded by houses . . . notes are thrown over the wall to keep them in communication with the outside . . . one of the yards is overlooked by adjacent houses . . .'.

131 P. Thompson, 'Portsmouth Borough Gaol in the Nineteenth Century', *The Portsmouth Papers*, No. 33 (1980), p. 8; P.C.R.O., CM1/5, 13 Feb. 1871.

The class of offenders in gaol during the year to 29 September 1874 according to a report in *H.T.*, 4400, 17 Oct. 1874 was as follows:

	Males	Female	Total
Remanded & Discharged	31	13	44
For trial at Assizes & Sessions	44	20	64
Convicted Summarily	439	232	671
Want of Sureties	7	1	8
Total criminal acts:	521	266	787
Debtors & Civil Processes	40	—	40
Military & Naval Offenders	20	—	20
Total during year:	581	266	847

A far-sighted correspondent suggested that: 'punishment by way of example has gone on long enough; it has entirely failed in its desired effects . . . let us graduate our future punishments in proportion to the offences committed, and try whether a speedy trial, conviction, and punishment, would not be more effectual than a dozen chaplains or additional turnkeys . . .. Why not hold sessions once per month or every 6 weeks?': *H.T.*, 2100, 6 Jan. 1840.

132 P.C.R.O., CM1/4, 23 Nov. 1858.

133 *Ibid.*, CM1/4, 3 Feb. 1862, 18 July 1870, 9 Nov. 1870; CM1/5 15 May 1874.

134 The pressure on numbers was somewhat eased when in 1862 Portsmouth entered into a contract with Southampton to take a maximum of 30 prisoners at 10*s*. per head. *Ibid.*, CM1/4, 18 Aug. 1862, 2 Feb. 1863, 2 May 1864.

135 W. White, *op. cit.*

136 W. Branch Johnson, *The English Hulks*, (Revised edn. Chichester, 1976). Hulks were first used following an act of 1776 to accommodate convicts who were employed cleansing the Thames. The last remaining hulks at Portsmouth in 1851 were the *Stirling Castle*, which at that time contained 1,280 convicts, (White, *op. cit.*) and the*York*. These were taken over by the Admiralty when the convicts were transferred to prison. Convicts were employed to demolish the *York*.

[137] P.C.R.O., *op. cit.*, CM1/3, 3 Feb. 1851.

[138] Johnson, *op. cit.*, p. 175. Conditions on board were the major contributing factors. Convicts on the hulks had catarrh, scurvy, lung complaints, scrofula, some had veneral diseases, and all were alive with vermin. In 1848 some 50% of the convicts on the *Stirling Castle* and *York* fell victim to cholera. Johnson quotes a report in the *Times*:
'. . . the cruelty exercised was so excessive, the medical treatment so brutal, and the manner in which the prisoners were treated when alive, as well as dead, was such that it was utterly disgraceful to a civilised and Christian country'.
Conditions on the convict ships going to Australia, particularly in the early days, were even worse:
'The stench of the prison crowded with perspiring humanity, was indescribable, and even to prisoners inured to the fetid atmosphere of the insanitary gaols and hulks must have been well nigh unbearable . . . the acrid smell of stale bilge water and of mouldy, rotting timber, mingled in the still air with the foul odours of closely packed humanity . . .': Bateson, *op. cit.*, p. 60.

Portsmouth Record Series

Borough Sessions Papers 1653–1688 by Arthur J. Willis and Margaret J. Hoad. MA, 1971 (Illus.).

Portsmouth and Sheet Turnpike Commissioners' Minute Book 1711–1754 edited by W. Albert and P. D. A. Harvey, 1974 (Illus.).

Book of Original Entries 1731–1751 edited by N. W. Surry and J. H. Thomas, 1976 (Illus.).

Maps of Portsmouth before 1801 compiled by D. Hodson, 1978 (Illus.).

Records of University Adult Education 1886–1939 compiled by Edwin Welch (Illus.).

Portsmouth Dockyard Papers 1774–1783 – The American War compiled by R. J. B. Knight (1987).

Other publications available

Fortifications in Old Portsmouth by A. Corney, 1965 (Illus.).

Southsea Castle by A. Corney, 1967 (Illus.).

The Civic Plate and Insignia of the City of Portsmouth (reprinted from the Connoisseur) by Sir C. Oman, 1965.

Guide to Historic Portsmouth (in colour).

Records of the City of Portsmouth 1835–1935 (Bound and Illus.) in three volumes, *1936–55* (Bound and Illus.) in two volumes.

Buildings of Portsmouth and its Environs by D. Lloyd, 1974 (Bound and well illustrated).

Hampshire Studies edited by John Webb, Nigel Yates and Sarah Peacock, 1981 (Illus.)

Records of the Corporation 1966–74.

Copies of these publications are obtainable from the City Secretary and Solicitor, Civic Offices, Guildhall Square, Portsmouth PO1 2AL and the Central Library and Museums.

CITY OF PORTSMOUTH PUBLICATIONS

The Portsmouth Papers—Titles available

1. *Portchester Castle* by Professor Barry Cunliffe, 1967 (Illus.) *Reprinted* 1970, and 1984.
2. *History of the Police of Portsmouth* by James Cramer, 1967 (Illus.), *Reprinted* 1983.
3. *'Palmerston's Folly': The Portsdown and Spithead Forts* by Professor A. Temple Patterson, 1968 (Illus.) *Reprinted* 1970, 1974, 1980 and 1985.
4. *The Organs and Organists of the Cathedral Church of St Thomas of Canterbury at Portsmouth* by Philip Barrett, 1968 (Illus.) *Revised* 1975.
5. *The Naval Mutiny at Spithead 1797* by Professor A. Temple Patterson, 1968 (Illus.) *Reprinted* 1978.
6. *Portsmouth Railways* by Edwin Course, BSc (Econ), PhD, FCIT, 1969 (Illus.) *Reprinted* 1972.
7. *The Siege of Portsmouth in the Civil War* by John Webb, MA, FRHists, 1969 (Illus.) *Revised* 1977.
8. *Portsea Island Churches* by Rodney Hubbuck, 1969 (Illus.) *Revised* 1976.
9. *Portsmouth during the Great French Wars 1770–1800* by Alastair Geddes, 1970 (Illus.) *Reprinted* 1980.
10. *Portsmouth – A French Gibraltar?* by Professor A. Temple Patterson, 1970 (Illus.).
11. *Portsmouth and the Fall of the Puritan Republic* by Dr. D. Dymond, CBE, MA, 1971 (Illus.) *Reprinted* 1979.
12. *Portsmouth's Water Supply 1800–1860* by Mary Hallett, BSc (Econ), MPhil, 1971 (Illus.).
13. *A History of Portsmouth Theatres* by H. Sargeant, FLA, 1971 (Illus.) *Reprinted* 1979.
14. *Portsmouth Nineteenth-Century Literary Figures* by Professor A. Temple Patterson, 1972 (Illus.).
15. *Portsmouth – As others have seen it (Part 1 1540–1790)* by Margaret J. Hoad, MA, 1972 (Illus.).
16. *The Growth of Southsea as a Naval Satellite and Victorian Resort* by R. C. Riley, BSc (Econ), PhD 1972 (Illus.).
17. *Captain John Mason and the Duke of Buckingham* by Dr. D. Dymond, CBE, MA, 1972 (Illus.).
18. *Methodism in Portsmouth 1750–1932* by W. Donald Cooper, BA, 1973 (Illus.).
19. *Portsmouth and the Crimean War* by Margaret J. Hoad, MA and Professor A. Temple Patterson, 1973 (Illus.).
20. *Portsmouth – As others have seen it (Part II 1790–1900)* by Margaret J. Hoad, MA, 1973 (Illus.).
21. *The condition of the children of the poor in mid-Victorian Portsmouth* by Mrs. Jean Stanford and Professor A. Temple Patterson, 1974 (Illus.).
22. *Smugglers and Revenue Officers in the Portsmouth area in the Eighteenth Century* by Edward Carson, MA, FIL, 1974 (Illus.).
23. *Borough Government in Portsmouth, 1835–1974* by Sarah E. Peacock, BA, 1975 (Illus.).
24. *Portsmouth's Political Patterns 1885–1945* by G. J. Ashworth, BA, MPhil, PhD, 1976 (Illus.).
25. *The Industries of Portsmouth in the Nineteenth Century* by R. C. Riley, BSc (Econ), PhD, 1976 (Illus.).
26. *An Early Victorian Street – The High Street Old Portsmouth*, by John Webb, MA, FRHists, 1977 (Illus.).
27. *The Windows of Portsmouth Cathedral* by E. K. Barnard, 1977 (Illus.).
28. *Ritual Conflict at Farlington and Wymering* by Nigel Yates, MA, FRHists, 1978 (Illus.).
29. *The Common Lands of Portsea Island* by John Chapman, MA, PhD, 1979 (Illus.).
30. *The Western Defences of Portsmouth Harbour 1400–1800* by G. H. Williams, CBE, MA, 1979 (Illus.).
31. *Early Man in Portsmouth and South-East Hampshire* by David J. Rudkin, BA, AMA, 1980 (Illus.).
32. *The Houses and Inhabitants of Thomas Ellis Owen's Southsea* by R. C. Riley, BSc (Econ), PhD, 1980 (Illus.).
33. *Portsmouth Borough Gaol in the Nineteenth Century* by Pat Thompson, 1980 (Illus.).
34. *The Battle of Southsea* by Dr. J. L. Field, 1981 (Illus.).
35. *Portsmouth Free Mart Fair – The Last Phase 1800–1847* by John Webb, MA, FRHists, 1982 (Illus.).
36. *Horsea Island and the Royal Navy* by Basil Ripley, BEM, ISM, 1982 (Illus.).
37. *The Anglican Revival in Victorian Portsmouth* by Nigel Yates, MA, FRHists, 1983 (Illus.).
38. *Public Houses and Beerhouses in Nineteenth Century Portsmouth* by R. C. Riley, BSc (Econ), PhD, and Philip Eley, 1983 (Illus.).
39. *Votes for Women: The Women's Fight in Portsmouth* by Sarah Peacock, 1983 (Illus.).
40. *The Seaborne Trade of Portsmouth 1650–1800* by J. H. Thomas, BA, PhD, FRHists, 1984 (Illus.).
41. *Portsmouth Jewry* by Aubrey Weinberg, 1985 (Illus.).
42. *Steam Wooden Warship Building in Portsmouth Dockyard 1832–52* by E. A. M. Laing 1985 (Illus.).
43. *Local Battles in Fact and Fiction: the Portsmouth Election of 1895* by E. S. Washington. 1985 (Illus.).
44. *The Evolution of the Docks and Industrial Buildings in Portsmouth Royal Dockyard, 1698–1914* by R. C. Riley, BSc (Econ), PhD, 1985 (Illus.).
45. *Portsmouth Corporation Tramways, 1896–1936* by E. Course, BSc (Econ), PhD, FCIT, 1986 (Illus.).
46. *The Portsmouth Beneficial School, 1755–1939* by Laurence V. Gatt, MEd, 1986 (Illus.).
47. *Sir Frederic Madden and Portsmouth*, by John Webb, MA, FRHists, 1987 (Illus.).
48. *The Industrial Archaeology of the Portsmouth Region* by R. C. Riley, BSc (Econ), PhD, 1987 (Illus.).
49. *The Wind of Change: Naval Reviews at Spithead 1842–56* by G. R. Wade, BA, MLS, ALA, 1987 (Illus.).
50. *Portsmouth and The First Fleet 1786–1787* by James H. Thomas, BA, PhD FRHists, 1987 (Illus.).
51. *Portsmouth Breweries 1492–1847* by Philip Eley, 1988 (Illus.).
52. *From Parish Church to Portsmouth Cathedral 1900–39* by E. K. Barnard, 1988 (Illus.).
53. *Sir Charles Ogle: A Worthy Admiral* by Pam Moore, BA, 1988 (Illus.).
54. *Portsmouth in the Glorious Revolution of 1688* by Professor Robert Jordan, 1988 (Illus.).
55. *Crime and Law and Order in Mid-Victorian Portsmouth* by F. H. Edwards BSc(Econ), 1989 (Illus.).

Copies of these publications are obtainable from the City Secretary and Solicitor, Civic Offices, Guildhall Square, Portsmouth PO1 2AL and the Central Library and Museums.